

HB 2039

Relating to Outfitting and Guiding Services

House Bill 2039 requires the Oregon State Marine Board to make changes to regulations related to outfitting and guiding services.

The measure requires all persons functioning as a fishing guide to be registered as a guide and requires that all guides operating motorboats be required to carry a minimum of United States Coast Guard Inland licenses. The measure establishes higher professional standards for guides operating motorboats by preventing individuals with drug violations from continuing operation of inland waters and addresses public concern for safety and knowledge. The measure was referred to the Joint Committee on Ways and Means for consideration of the fiscal impact.

The measure increases the current \$300,000 minimum liability to \$500,000 and beginning in 2014 fees will increase from \$50 to \$150 per year. The fee increase will generate an additional \$294,976 during the 2013-15 biennium. The increase will fund improved program oversight, outreach efforts and law enforcement specifically targeted to illegal guiding services. The Subcommittee amended the measure to add \$212,170 Other Funds expenditure Limitation for the Oregon State Marine Board to provide the increased education and law enforcement required by the bill.

The Natural Resources Subcommittee recommends House Bill 2039 be amended and reported out “do pass” as amended.

**77th OREGON LEGISLATIVE ASSEMBLY – 2013 Session
BUDGET REPORT AND MEASURE SUMMARY**

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: HB 2039-B

Carrier – House: Rep. Unger

Carrier – Senate: Sen. Edwards

Action: Do Pass the A-Engrossed Measure as Amended and be Printed B-Engrossed

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Lisa Pearson, Department of Administrative Services

Reviewed By: Susie Jordan, Legislative Fiscal Office

Meeting Date: May 24, 2013

Agency

Oregon State Marine Board

Biennium

2013-15

Budget Summary*

	2011-13 Legislatively Approved Budget ⁽¹⁾	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$\$ Change	% Change
Other Funds	\$ 0	\$ 0	\$ 212,170	\$ 212,170	
Total	\$ 0	\$ 0	\$ 212,170	\$ 212,170	

Position Summary

Authorized Positions	00	00	00	00
Full-time Equivalent (FTE) positions	00.00	00.00	00.00	00.00

(1) Includes adjustments through December 2012.

* Excludes Capital Construction expenditures

Summary of Revenue Changes

House Bill 2039 would increase the annual fee paid by guides and outfitters from \$50 to \$150. This increase is projected to raise \$294,976 in the 2013-15 biennium and \$306,560 in the 2015-17 biennium. The last fee change for this program was in 1987, when the program was established. The projected revenue reflects both the fee increase that affects existing guides and outfitters and the shifting of some charter boat operators to the Guides and Outfitters program. The charter boat operators would shift because Senate Bill 25 changes the definition of charter boats based on the number of passengers. Senate Bill 25 effectively increases the number of guide and outfitter fee payers and reduces the number of charter boat fee payers, resulting in more revenue for the Guides and Outfitters program.

Summary of Natural Resources Subcommittee Action

The Marine Board promotes the safe and enjoyable use of state waters for recreational boating. The agency operates the Guides and Outfitters program as part of its efforts to meet this mission. The Ways and Means Subcommittee on Natural Resources approved a budget for the Guides and Outfitters program of \$212,170 Other Funds; the Other Funds come from the guides and outfitters annual registration fee.

House Bill 2039 creates and modifies provisions related to regulation of commercial outfitting and guiding services in order to improve professionalism. The bill requires commercial outfitters and guides to show proof of business registration with the Secretary of State and proof of first aid certification. It requires guides and outfitters to maintain minimum liability coverage of \$500,000. By January 1, 2018 outfitters or guides must pass a written test; participate in drug and alcohol programs; and complete physical exams every five years. The Oregon State Marine Board is required to adopt rules to implement the provisions of the bill. Guides and outfitters who hold US Coast Guard operator licenses

for motor boats on waters determined to be navigable by the Coast Guard are exempt. The bill also provides more flexibility in appointing trade association representatives to the program advisory committee by removing references to specific organizations. The approved budget will be used for agency travel, fingerprinting and background checks of participants, public outreach and education, contracted law enforcement, and potential position reclassifications.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 2039-B

Oregon State Marine Board
Lisa Pearson -- 503-373-7501

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2011-13 Legislatively Approved Budget at Dec 2012 * \$	0 \$	0 \$	0 \$	0 \$	0 \$	0 \$	0 \$	0	0.00
2013-15 ORBITS printed Current Service Level (CSL)*\$	0 \$	0 \$	0 \$	0 \$	0 \$	0 \$	0 \$	0	0.00
SUBCOMMITTEE ADJUSTMENTS (from CSL)									
001 - Administration/Education									
Package 104: Enhanced Guides & Outfitters									
Services and Supplies	\$ 0	\$ 0	\$ 39,407	\$ 0	\$ 0	\$ 0	\$ 39,407	0	0.00
Special Payments account 6020			\$ 60,000				\$ 60,000		
Special Payments account 6635			\$ 112,763				\$ 112,763		
TOTAL ADJUSTMENTS	\$ 0	\$ 0	\$ 212,170	\$ 0	\$ 0	\$ 0	\$ 212,170	0	0.00
SUBCOMMITTEE RECOMMENDATION *	\$ 0	\$ 0	\$ 212,170	\$ 0	\$ 0	\$ 0	\$ 212,170	0	0
% Change from 2011-13 Leg Approved Budget	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
% Change from 2013-15 Current Service Level	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2039**

1 On page 1 of the printed A-engrossed bill, line 3, after the semicolon in-
2 sert “limiting expenditures;”.

3 On page 11, after line 29, insert:
4

5 **“EXPENDITURE LIMITATIONS**

6
7 **“SECTION 16. Notwithstanding any other law limiting expenditures,**
8 **the limitation on expenditures established by section 1 (1), chapter __,**
9 **Oregon Laws 2013 (Enrolled House Bill 5025), for the biennium begin-**
10 **ning July 1, 2013, as the maximum limit for payment of expenses from**
11 **fees, moneys or other revenues, including Miscellaneous Receipts, but**
12 **excluding lottery funds and federal funds, collected or received by the**
13 **State Marine Board, is increased by \$212,170 for the purpose of carry-**
14 **ing out the provisions of this 2013 Act.”.**

15 In line 33, delete “16” and insert “17”.

16 In line 39, delete “17” and insert “18”.

17
