

SB 851

Relating to the Oregon Board of Maritime Pilots

The mission of the Board of Maritime Pilots is to promote public safety by assuring that only well-qualified persons are licensed to pilot vessels entering and leaving Oregon's ports. Since the establishment of the Board of Maritime Pilots in 1846, a lot has changed on Oregon's waterways. The ships are much bigger, and their cargos are often more valuable and more hazardous. An incident involving one of these giant ships has the potential to be much more dangerous to people and to the environment than the Board's founders could ever have imagined. Yet in many ways, the Board itself has changed very little. The Board is made up of nine members, and only the three volunteer public members are eligible to serve as the Board's chair. Periodic examination of pilot medical reviews, independent investigations of maritime incidents, and up-to-date recruitment and training policies for pilots are currently beyond the expertise and capacity of the Board in its current configuration.

Senate Bill 851 requires pilots to collect a fee of no more than \$100 from each vessel entering or leaving the Columbia, Willamette, Coos Bay or Yaquina Bay, and requires the fee to be used to carry out the duties of the board. The fees will support the appointment of a half time professional executive director, providing the dedicated time and expertise to tackle the issues mentioned above, and provide for a National Transportation Safety Board mandated fatigue study, and more thorough handling of licensing appeals. The Board chair testified that the fee will initially be assessed at \$50.

The Transportation and Economic Development Subcommittee recommends that SB 851 be amended and reported out do pass, as amended.

Joint Committee on Ways and Means

Carrier – House: Rep. McKeown
Carrier – Senate: Sen. Johnson

Revenue:

Fiscal: Fiscal statement issued

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: Michelle Deister, Legislative Fiscal Office

Meeting Date: June 6, 2013

WHAT THE MEASURE DOES: Requires each licensee to collect a board operations fee from each vessel using their services to fund the Oregon Board of Maritime Pilots. Describes when fee will be collected in the Columbia River, Willamette River, Coos Bay and Yaquina Bay. Allows board to make procedures for collecting fee. Requires quarterly review of fee by board, enables adjustment of fee subject to approval by the Department of Administrative Services and, if adjusted, requires report to the Emergency Board. Limits the fee to \$100 per vessel and indexes the fee each biennium. States that the Pilot Account may be used to carry out duties of the board. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- The need to ensure personal and environmental health and safety
- Indexing of the fee
- Process for agreeing upon the fee

EFFECT OF COMMITTEE AMENDMENT: Adds expenditure limitation to the 2013-15 budget for the Oregon Board of Maritime Pilots for administration of the provisions of the measure.

BACKGROUND: The Oregon Board of Maritime Pilots consists of nine members appointed by the Governor and is established under the Public Utility Commission which is responsible for administrative oversight of the board. Currently PUC has the authority to determine the salary, qualifications and appoint an administrative officer for the board. Senate Bill 851 as amended allows the board to collect a fee and will enable the board to hire a part-time executive director, to provide dedicated expertise for issues related to and arising from pilot training, fitness, and investigations of maritime incidents.

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 851 B

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Krista McDowell
Reviewed by: Michelle Deister
Date: 06/05/2013

Measure Description:

Directs Public Utility Commission to appoint executive director of Oregon Board of Maritime Pilots.

Government Unit(s) Affected:

Public Utility Commission (PUC)

Summary of Expenditure Impact:

Summary of Expenditure Impact		
	2013-15 Biennium	2015-17 Biennium
Other Funds	449,173	249,173
Total Funds	\$449,173	\$249,173
Positions	1	1
FTE	0.50	0.50

Summary of Revenue Impact		
	2013-15 Biennium	2015-17 Biennium
Other Funds	304,000	304,000
Total Funds	\$304,000	\$304,000

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

This bill directs Public Utility Commission to appoint an Executive Director of Oregon Board of Maritime Pilots and imposes a maximum board operations fee of \$100 for vessels entering or leaving specified locations. The bill states that the fee moneys are to be used to carry out the duties, functions and powers of the Board.

One (.50 FTE) Executive Director position appointment is estimated to cost \$125,173 Other Funds (OF) per biennium. Additional expenses to the Board include a National Transportation Safety Board requirement to conduct and implement a one-time "Sleep Fatigue and Alertness Study" which is estimated to cost \$200,000 OF in the 2013-15 biennium. The Board also plans to conduct one medical records certification review per biennium at a cost of \$24,000 OF for contract labor and expenses. License appeals that are handled by the board are also estimated at \$100,000 OF per biennium.

Revenue projections are based on an estimated 3,040 vessel transits per year with initial assessment fee set at \$50.

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 851**

1 On page 1 of the printed A-engrossed bill, line 3, after “776.365;” insert
2 “limiting expenditures;”.

3 On page 3, after line 19, insert:

4 **“SECTION 6. Notwithstanding any other law limiting expenditures,**
5 **the limitation on expenditures established by section 1 (4), chapter __,**
6 **Oregon Laws 2013 (Enrolled House Bill 5043), for the biennium begin-**
7 **ning July 1, 2013, as the maximum limit for payment of expenses from**
8 **fees, moneys or other revenues, including Miscellaneous Receipts, but**
9 **excluding lottery funds and federal funds, collected or received by the**
10 **Public Utility Commission of Oregon, is increased by \$449,173 for the**
11 **purpose of carrying out sections 3 and 4 of this 2013 Act and the**
12 **amendments to ORS 776.105 and 776.365 by sections 1 and 5 of this 2013**
13 **Act.”.**

14 In line 20, delete “6” and insert “7”.

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