

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	9 - 0 - 0
Yeas:	Clem, Esquivel, Krieger, McKeown, Reardon, Thompson, Unger, Whitsett, Witt
Nays:	0
Exc.:	0
Prepared By:	Beth Patrino, Administrator
Meeting Dates:	2/19, 3/14

WHAT THE MEASURE DOES: Creates and modifies provisions related to regulation of outfitting and guiding services. Clarifies law not applicable to outfitting and guiding services not offered or provided for compensation or monetary gain. Requires registration to include proof of business registration with Secretary of State and proof of first aid certification as determined by Marine Board (Board) by rule. Modifies registration requirement for United States Coast Guard (USCG) Operator Uninspected Passenger Vessel license to waterways determined by USCG to be navigable. Increases minimum liability coverage to \$500,000. Increases annual registration fee to \$150. Modifies requirement for affidavit regarding conviction of felony or misdemeanor to those related to provision of services regulated under chapter. Requires employees of outfitter and guide service to hold proof of compliance with requirements of chapter. By January 1, 2018, requires outfitter or guide to: (1) pass written test adopted by board by rule, (2) participate in drug and alcohol program defined by board by rule, and (3) complete physical exam every five years as required by board by rule. Exempts person operating motor boat on waters determined to be navigable by USCG and in possession of USCG operator license. Authorizes court to order Board to revoke registration for felony or misdemeanor convictions related to provisions of services regulated by chapter. Removes specific organizations to be appointed to advisory committee; replaces with requirement that membership include eight members representing seven primary organizations provides services in state, with two representing most active organizations. Changes violation of ORS 704.030 (false statement in registration application) from Class B to Class A misdemeanor. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Guide Advisory Committee work on program changes
- Reports of illegal guides
- Requirement for USCG license

EFFECT OF COMMITTEE AMENDMENT: Adds definition of “charter guide” in place of “ocean guide.” Specifies felony or misdemeanor convictions related to provision of services regulated under chapter to be included in affidavit and as basis for court to order Board to revoke certificate of registration. Changes requirement for USCG operator license by 2018 to requirement that outfitter and guide (1) pass written test adopted by board by rule, (2) participate in drug and alcohol program defined by board by rule, and (3) completed physical exam every five years as required by board by rule. Exempts person operating motor boat on waters determined to be navigable by USCG and in possession of USCG operator license.

BACKGROUND: The Outfitter and Guide Program was first established in 1984. The program focuses on registering outfitters and guides and requires liability protection for clients. The Oregon State Marine Board registers outfitters and guides annually to certify that they carry the minimum liability insurance required by law, that they have current First Aid and CPR training and, if required, have a USCG Operator License or Surety Bond. Outfitters and guides are issued an annual registration card that they are required to carry and show to anyone who asks. Employees are not issued separate registration cards. House Bill 2039 A would revise the statutes governing the regulation of outfitters and guides.

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This summary has not been adopted or officially endorsed by action of the committee.