

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Without Recommendation as to Passage and Be Referred to the Committee on Rules
Vote:	5 - 0 - 0
Yeas:	Baertschiger, Burdick, Close, Prozanski, Roblan
Nays:	0
Exc.:	0
Prepared By:	Racquel Rancier, Administrator
Meeting Dates:	4/30, 5/30

WHAT THE MEASURE DOES: Defines “abandoned” and “derelict” vessel. Defines “enforcement agency” to include law enforcement agency, federal agency, State Marine Board or any other public body with responsibility for land or water on which vessel is located. Establishes process and authority for enforcement agency to seize abandoned or derelict vessel. Specifies pre and post-seizure notice requirements. Allows vessel owner to request and receive hearing before seizure, or after seizure as specified. Authorizes seizure without notice if vessel poses hazard to navigation or public health and safety. Holds owners liable for salvage, towing, storage and disposal costs incurred by enforcement agency. Reduces owner liability by net proceeds if enforcement agency sells vessel. Allows owner to reclaim vessel upon payment of all costs and establishing that owner able to move vessel to place where it can be lawfully kept. Vests title with enforcement agency if vessel not reclaimed. Allows enforcement agency to contract with person to carry out Act. Exempts enforcement agency or contractor from liability for damage resulting from seizure. Creates offense of failure to remove abandoned vessel and offense of possession of derelict vessel. Replaces Abandoned Boat Removal and Cleanup subaccount with Salvaged Vessel Subaccount and establishes authorized uses. Adds ship in danger of sinking to definition of “threatened spill or release” in spill response and hazardous materials statutes. Allows Director of Department of Environmental Quality to enter upon ship to address spill or release of oil or hazardous material.

ISSUES DISCUSSED:

- Examples of derelict vessels
- Reasons for extending authorities to include public bodies
- Process for notifying and seizing vessels
- Costs associated with removal of vessels and increasing match for reimbursement
- Scope of definitions and authorities in bill

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Oregon law prohibits abandoning boats, floating homes and boathouses. The abandoned vessel statutes were last amended in 2003 to allow Oregon public ports to act as “removing authorities” in addition to law enforcement. Before vessels are abandoned they have almost always been in a “derelict” condition for months or years. House Bill 2233 A would modify the laws governing the seizure of an abandoned vessel and allows for seizure of derelict vessels.