

**HB 2321 B STAFF MEASURE SUMMARY**

**Senate Committee On Environment and Natural Resources**

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**Action Date:** 05/24/17

**Action:** Do pass with amendments to the A-Eng bill. Refer to Ways and Means. (Printed B-Eng).

**Vote:** 4-0-1-0

**Yeas:** 4 - Baertschiger Jr, Dembrow, Prozanski, Roblan

**Exc:** 1 - Olsen

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Beth Patrino, LPRO Analyst

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**WHAT THE MEASURE DOES:**

Requires boat owner or operator, after leaving the waters of this state with a boat, to remove or open all drain plugs, bailers, valves or other devices used to control draining of water before transporting boat within state. Establishes \$30 penalty for not draining nonmotorized boats and \$50 penalty for motorized boats. Lists exemptions to draining requirement. Changes length of nonmotorized boats for which aquatic invasive species prevention permit (AIS Permit) is required from boats 10 feet or more in length to boats 8 feet or more in length. Allows AIS Permit to be combined with other permits, certificates, licenses or registrations issued by Oregon State Marine Board (Marine Board). Requires AIS Permit moneys to be deposited into Aquatic Invasive Species Prevention Fund (Fund) established under ORS 830.585. Establishes Fund must be used for administrative costs of aquatic invasive species prevention permit program; to award grants and enter into grant agreements to prevent and control aquatic invasive species; and any other purpose described in aquatic invasive species prevention statute (ORS 830.560-830.594). Requires persons to cooperate with decontamination recommendation issued by Department of Fish and Wildlife, Marine Board, or Department of Agriculture. Authorizes peace officer to stop person transporting recreational or commercial watercraft and require them to drive to nearest aquatic invasive species check station if peace officer has reason to believe person failed to stop at check station, and there is open check station within five miles of stop. Punishes failure to comply with peace officer's directions by maximum of 30 days' imprisonment, \$1,250 fine, or both.

**ISSUES DISCUSSED:**

- History and location of border inspection stations
- Where boats entering Oregon originate
- Examples of invasive species found during inspections
- Cost of prevention versus controlling an invasive species

**EFFECT OF AMENDMENT:**

Revises exemptions to requirement to remove or open all devices used to control draining of waters from a boat after leaving the waters of the state. Changes length of boat subject to requirement to obtain an aquatic invasive species prevention permit from nonmotorized boat that is 10 feet or more in length to nonmotorized boat that is 8 feet or more in length.

**BACKGROUND:**

The Aquatic Invasive Species Prevention Program was passed into law in 2009, and mandatory inspections at designated stations along Oregon's borders were added to the law in 2011. In 2014, the National Sea Grant Law Center published a report containing the recommendation to require draining of all standing or captured water and to transport boats with plugs and valves open to facilitate drainage to minimize standing water that can support mussel survival. House Bill 2321B would require boaters to remove or open all drain plugs, bailers, valves or other devices used to control draining of water before transporting boat within state.

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

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Current statute does not authorize a peace officer to require a vehicle transporting a boat that bypassed an open inspection station to return to the station for inspection. House Bill 2321B would require a person transporting a boat to return to a bypassed inspection station if directed to do so by a peace officer provided the station is open and within five miles of the location of the stop.

Current law requires nonmotorized boats that are 10 feet or more in length to obtain an aquatic invasive species prevention permit. House Bill 2321B would apply this permit requirement to nonmotorized boats that are 8 feet or more in length.