

A-Engrossed
House Bill 4099

Ordered by the House February 15
Including House Amendments dated February 15

Sponsored by Representatives VIAL, POWER; Representatives HELM, KENNEMER (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Prohibits person from operating motorboat with wake-enhancing device between river mile 30 and river mile 50 on Willamette River. Requires person to operate wakeboard boat at slow, no-wake speed between river mile 30 and river mile 50 on Willamette River.]

[Punishes by maximum of \$2,000 fine. Punishes third or subsequent offense within three years by maximum of 30 days' imprisonment, \$5,000 fine, or both, and requires court to order person to not operate boat for two years and to complete boating safety course.]

Establishes Task Force on Motorboat Water Sports and Recreational Activities. Sunsets task force on December 31, 2019.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to motorboats; and prescribing an effective date.

3 Whereas Oregonians enjoy using motorboats for recreational activities such as water skiing,
4 fishing and wakeboating; and

5 Whereas the use of motorboats generates wakes, which vary in size and strength, depending
6 upon the size and speed of the motorboat; and

7 Whereas large wakes may create conflict with other recreational activities, such as canoeing
8 and kayaking; and

9 Whereas large wakes may create additional erosion of shorelines and damage to docks, thereby
10 creating conflict with property owners of adjacent shoreline properties; and

11 Whereas the State Marine Board has attempted to address potential conflicts between motorboat
12 users, shoreline property owners and others through administrative rules, but its efforts have been
13 largely unsuccessful due to a lack of funding for rule enforcement; and

14 Whereas motorboats have increased in size and weight over the years and thus now generate
15 larger and more powerful wakes; and

16 Whereas legislative bodies in various states and countries have begun to address the conflicts
17 created by the impact of large motorboat wakes on property owners, the environment and other
18 water users; and

19 Whereas the board has adopted rules prohibiting the use by motorboats of devices that inten-
20 tionally create amplified wakes on certain segments of Oregon rivers, including the Willamette
21 River; and

22 Whereas the Legislative Assembly wishes to achieve a balance, allowing motorboat enthusiasts
23 to engage in recreational activities that generate large wakes, while minimizing the negative im-
24 pacts that those large wakes have on shoreline property owners, the environment and other water

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 users; now, therefore,

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. (1) The Task Force on Motorboat Water Sports and Recreational Activities**
4 **is established.**

5 **(2) The task force consists of 10 members appointed as follows:**

6 **(a) The President of the Senate shall appoint:**

7 **(A) One member from among members of the Senate.**

8 **(B) One member who owns shoreline property.**

9 **(C) One member who represents an Oregon environmental organization.**

10 **(D) One member who owns a motorboat.**

11 **(E) One member who represents the water sports industry.**

12 **(b) The Speaker of the House of Representatives shall appoint:**

13 **(A) One member from among members of the House of Representatives.**

14 **(B) One member who owns shoreline property.**

15 **(C) One member who represents an Oregon environmental organization.**

16 **(D) One member who owns a motorboat.**

17 **(E) One member who represents the water sports industry.**

18 **(3) The task force shall study the conflicts between motorboat users, shoreline property**
19 **owners and other persons who enjoy recreational activities on the water.**

20 **(4) A majority of the voting members of the task force constitutes a quorum for the**
21 **transaction of business.**

22 **(5) Official action by the task force requires the approval of a majority of the voting**
23 **members of the task force.**

24 **(6) The task force shall elect one of its members to serve as chairperson.**

25 **(7) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
26 **ment to become immediately effective.**

27 **(8) The task force shall meet at times and places specified by the call of the chairperson**
28 **or of a majority of the voting members of the task force.**

29 **(9) The task force may adopt rules necessary for the operation of the task force.**

30 **(10) The task force shall submit a report in the manner provided by ORS 192.245, and**
31 **may include recommendations for legislation, to an interim committee of the Legislative**
32 **Assembly related to the environment and natural resources no later than September 15, 2019.**

33 **(11) The State Marine Board shall provide staff support to the task force.**

34 **(12) Members of the Legislative Assembly appointed to the task force are nonvoting**
35 **members of the task force and may act in an advisory capacity only.**

36 **(13) Members of the task force who are not members of the Legislative Assembly are not**
37 **entitled to compensation or reimbursement for expenses and serve as volunteers on the task**
38 **force.**

39 **(14) All agencies of state government, as defined in ORS 174.111, are directed to assist**
40 **the task force in the performance of the task force's duties and, to the extent permitted by**
41 **laws relating to confidentiality, to furnish information and advice the members of the task**
42 **force consider necessary to perform their duties.**

43 **SECTION 2. Section 1 of this 2018 Act is repealed on December 31, 2019.**

44 **SECTION 3. This 2018 Act takes effect on the 91st day after the date on which the 2018**
45 **regular session of the Seventy-ninth Legislative Assembly adjourns sine die.**

