

Senate Bill 859

Sponsored by Senator TAYLOR

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 **as introduced**.

Increases amount that State Marine Board may deposit and retain in Salvaged Vessel Subaccount each biennium.

A BILL FOR AN ACT

1
2 Relating to small watercraft; amending ORS 830.948.

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

4 **SECTION 1.** ORS 830.948 is amended to read:

5 830.948. (1) The Salvaged Vessel Subaccount is established within the Boating Safety, Law
6 Enforcement and Facility Account created under ORS 830.140. The subaccount shall consist of
7 moneys deposited into the subaccount by the State Marine Board from fees collected pursuant to
8 ORS 830.790 and 830.850. The moneys in the subaccount are continuously appropriated to the board
9 for the purposes specified in this section.

10 (2) The board may not deposit more than [*\$150,000*] **\$1 million** per biennium into the Salvaged
11 Vessel Subaccount and may not retain more than [*\$150,000*] **\$1 million** in the subaccount at any
12 time. After the board has deposited [*\$150,000*] **\$1 million** into the subaccount under this subsection
13 or any time there is more than [*\$150,000*] **\$1 million** in the subaccount, any remaining moneys from
14 fees collected pursuant to ORS 830.790 and 830.850 shall be deposited in the Boating Safety, Law
15 Enforcement and Facility Account.

16 (3) The board may use the moneys in the Salvaged Vessel Subaccount to pay the expenses of the
17 board in implementing ORS 830.908 to 830.948 that are associated with the salvage, towing, storage
18 and disposal of:

19 (a) Vessels other than boats that are abandoned vessels or derelict vessels; and

20 (b) Vessels that are boats of less than 200 gross tons.

21 (4) The board may use the moneys in the Salvaged Vessel Subaccount to pay an enforcement
22 agency for no more than 90 percent of the costs of salvage, towing, storage and cleanup of an
23 abandoned vessel or a derelict vessel that has or had a certificate under ORS 830.770 or 830.775 and
24 that is:

25 (a) A boat of less than 200 gross tons; or

26 (b) Any other abandoned vessel or derelict vessel that is not a boat.

27 (5) The board may use the moneys in the Salvaged Vessel Subaccount to pay an enforcement
28 agency for no more than 75 percent of the costs of salvage, towing, storage and cleanup of an
29 abandoned vessel or a derelict vessel that has never had a certificate under ORS 830.770 or 830.775
30 and that is:

31 (a) A boat of less than 200 gross tons; or

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 (b) Any other abandoned vessel or derelict vessel that is not a boat.
 - 2 (6) The board may reimburse an enforcement agency under subsection (4) or (5) of this section
 - 3 for costs associated with an abandoned vessel or a derelict vessel only if the enforcement agency
 - 4 complied with ORS 830.908 to 830.948 in seizing the vessel.
 - 5 (7) The board may use the moneys in the Salvaged Vessel Subaccount to award grants to the
 - 6 state, a city, a county, a water improvement district, a park and recreation district or a port as
 - 7 provided in ORS 830.150 for the disposal of a vessel that has or had a certificate under ORS 830.770
 - 8 or 830.775 and that the owner has surrendered to an accepting public agency if:
 - 9 (a) The public agency has determined that the vessel was in danger of being an abandoned
 - 10 vessel or a derelict vessel and was likely to cause damage to the environment or become a hazard
 - 11 to navigation; and
 - 12 (b) The decision to accept the vessel was based solely on the public agency's determination un-
 - 13 der paragraph (a) of this subsection.
 - 14 (8) The board may recover payments made from the Salvaged Vessel Subaccount from an owner
 - 15 of a vessel who is liable for the costs of salvage, towing, storage and disposal under ORS 830.938.
 - 16 The board shall deposit all funds recovered under this section into the subaccount in accordance
 - 17 with the provisions of subsection (2) of this section.
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