

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: SB 1589**81st Oregon Legislative Assembly – 2022 Regular Session
Legislative Fiscal Office***Only Impacts on Original or Engrossed
Versions are Considered Official***

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Measure Description:

Provides that maximum loading weight of motorboat must be less than 5,000 pounds to obtain towed watersports motorboat certificate.

Government Unit(s) Affected:

Department of State Lands (DSL), Counties, Oregon State Marine Board (OSMB), Oregon Judicial Department (OJD), Department of Fish and Wildlife (ODFW)

Summary of Fiscal Impact:

Costs related to the measure are anticipated to be minimal - See explanatory analysis.

Analysis:

SB 1589 allows a person to obtain a towed watersports motorboat certificate if the person is the owner of a registered motorboat, holds a towed watersports endorsement, and the maximum loading weight of their motorboat is less than 5,000 pounds. This certificate is required to engage in towed watersports within the Newberg Pool Congested Zone. Previously, the maximum loading weight was established by the Oregon State Marine Board (OSMB) by rule; and towed watersports motorboat certificates were only required for use of the Newberg Pool Congested Zone for wake surfers and wakeboarders, and not all towed watersports. This measure additionally prohibits wake surfing and using devices or individuals to increase wakes in the Newberg Pool.

This measure authorizes OSMB to conduct a study on changing the maximum motorboat loading weight, to determine if changing the maximum loading weight will have an adverse effect on the natural area or exceed state or federal turbidity limits. OSMB must consult with the Department of State Lands (DSL), Oregon Department of Fish and Wildlife (ODFW), and Department of Environmental Quality (DEQ) before making a determination. If OSMB does conduct a study, they are to report to the interim committees of the Legislative Assembly related to the environment on their findings. This measure declares an emergency and takes effect on passage.

OSMB anticipates a minimal fiscal impact from this measure. There may be some costs related to creating new signs and test materials, but those costs can be absorbed using available resources. OSMB also anticipates that this measure would increase revenues by approximately \$21,000 each biennium. Most boats that currently have a towed watersports motorboat certificate are above the 5,000-pound weight limit, which means there will be a decrease in current certificate holders, which will reduce fee revenues. However, because the measure requires that boat owners engaging in all towed watersports (and not just wake surfing and wakeboarding) must have a towed watersports motorboat certificate, the number of boats with certificates and the number of boat owners with towed watersports endorsements is likely to increase. This is anticipated to increase revenues overall.

This measure states that OSMB may conduct a study on maximum loading weight but does not require this study. The Board estimates the cost of the study to be \$300,000 Other Funds, and that due to the need for more guidance on the desired deliverables and potential breadth of the study, so likely would not conduct such a study until the 2023-25 biennium. Costs could vary if the study scope included a wider breadth of topics such as water quality, fish habitat, impacts to fish, and impacts to on-water structures. If OSMB does elect to conduct the study,

they note that the cost of the study could likely be absorbed using existing Other Funds resources derived from fees, but this may require a decrease in funding of law enforcement and boating facilities programs. If OSMB decides that it will need to undertake this study, the Board may need to return to the Legislative Emergency Board or a subsequent legislative session to request expenditure limitation in order to comply with the provisions of this measure.

Should this study be conducted, there will be a minimal fiscal impact for DSL, ODFW, and DEQ to consult on the study. This measure is anticipated to have a minimal fiscal impact on the Oregon Judicial Department based on the assumption that the measures additional limitations on the Newburg Pool Congested Zone may result in increased violation cases in circuit courts.