SENATE AMENDMENTS TO
SENATE BILL 814

By COMMITTEE ON VETERANS, EMERGENCY MANAGEMENT, FEDERAL AND WORLD
AFFAIRS

March 24

On page 1 of the printed bill, delete lines 6 through 28 and delete page 2 and insert:

"SECTION 2. (1) The Legislative Assembly finds and declares that:

(a) Oregon public ports were created to preserve public ownership of public resources, giving local governments the ability and statutory authority to support economic development for the benefit of the public;

(b) Oregon public ports are vital links in the transportation and economic infrastructure of this state and perform critical services that support and facilitate movement of cargo and passengers within this state and in commerce worldwide;

(c) Oregon public ports that carry out or seek to carry out operations that involve moving cargo or passengers are a vital part of the economy and trade infrastructure of this state; and

(d) Enabling Oregon public ports to coordinate, reach agreements on and implement actions with members of the Northwest Marine Terminal Association and other public ports within and outside this state with respect to matters within each public port’s authority is an important public purpose.

(2) The Legislative Assembly declares that the policy of this state and the intent of this section is, notwithstanding the applicability of the antitrust laws of this state or the United States, to displace competition under the state action doctrine to the extent specified in subsection (3) of this section.

(3) A public cargo or passenger port located in this state and any other public port, including a member of the Northwest Marine Terminal Association, may coordinate, reach agreements on and implement any action that is within the public port’s authority, including actions to specify:

(a) Rates and charges that each public port will assess;

(b) Rules, practices and procedures that each public port will implement with respect to cargo and passenger service operations;

(c) Planning, development, management, marketing, operations and uses of public port facilities; and

(d) Other matters that relate to cargo and passenger service operations at public ports.

SECTION 3. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.".