

# Senate Bill 459

Sponsored by Senator WEBER, Representative JAVADI; Representatives MCLAIN, OSBORNE, WRIGHT (Presession 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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes it so that licensee members of the OBMP don't need to be residents of Oregon. (Flesch Readability Score: 71.0).

Removes the requirement that a licensee member of the Oregon Board of Maritime Pilots be a resident of this state.

## A BILL FOR AN ACT

1  
2 Relating to the Oregon Board of Maritime Pilots; amending ORS 776.105.

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

4 **SECTION 1.** ORS 776.105 is amended to read:

5 776.105. (1) The Oregon Board of Maritime Pilots is established within the Public Utility Com-  
6 mission of Oregon, and shall consist of nine members appointed by the Governor for terms of four  
7 years. The appointments of members of the board are subject to confirmation by the Senate in the  
8 manner prescribed in ORS 171.562 and 171.565.

9 (2) Three members of the board shall be public members, one of whom shall act as chairperson  
10 of the board. The public members of the board may not:

11 (a) During the preceding five years or during their terms of office, have any interest in the  
12 ownership, operation or management of any tugs, cargo or passenger vessels or in the carriage of  
13 freight or passengers by vessel;

14 (b) During the preceding five years or during their terms of office, have any interest in any as-  
15 sociation or organization represented under subsection (4) of this section or principally comprised  
16 of persons engaged in commercial pursuits in the maritime industry as described in paragraph (a)  
17 of this subsection in any capacity; or

18 (c) Hold or have held a maritime pilot license issued by any state or federal authority.

19 (3) Three members shall be licensees under this chapter. One member shall be a Columbia River  
20 bar licensee, one member shall be a Columbia River licensee and one member shall be a Coos Bay  
21 or Yaquina Bay licensee. A licensee member shall:

22 (a) Have been licensed for more than three years under this chapter; **and**

23 (b) Be actively engaged in piloting; *and*].

24 [(c) *Be a resident of this state.*]

25 (4) Except as provided in subsection (5) of this section, three members of the board shall, for  
26 at least three years immediately preceding their appointment, have been and during their terms of  
27 office be engaged in the activities of a person, as defined in ORS 174.100, that operates or represents  
28 commercial oceangoing vessels.

29 (5) The Governor may appoint a past or present employee or commissioner of a port to serve

**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 on the board in lieu of one of the operators or representatives of a commercial oceangoing vessel  
2 under subsection (4) of this section.

3 (6)(a) The majority of members shall constitute a quorum for the transaction of all business if  
4 at least one member of each group, as described in subsections (2), (3) and (4) of this section, is  
5 present.

6 (b) Notwithstanding paragraph (a) of this subsection, when the board fixes pilotage fees under  
7 ORS 776.115 (5) a quorum shall consist of seven members.

8 (c) Notwithstanding paragraph (a) of this subsection, for purposes of ORS 192.610 to 192.705 a  
9 quorum shall consist of five members.

10 (7) The commission may appoint a member of the commission, or a designee, as a nonvoting, ex  
11 officio member of the board.

12 (8)(a) The commission is responsible for the administrative oversight of the board. The respon-  
13 sibilities of the commission include, but are not limited to:

14 (A) Budgeting;

15 (B) Financial management;

16 (C) Record keeping;

17 (D) Staffing;

18 (E) Purchasing and contracting;

19 (F) Collecting fees; and

20 (G) Compliance with rulemaking procedures set forth in ORS chapter 183.

21 (b) In consultation with the board, the commission shall:

22 (A) Fix the qualifications of and appoint an executive director and an administrative officer for  
23 the board; and

24 (B) Subject to the State Personnel Relations Law, fix the compensation of the executive director  
25 and the administrative officer.

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