

Summary of Draft Legislative Concept Establishing a Willamette Falls Locks Public Corporation

June 19, 2019

- The public policy of the PC is to serve the people of the State of Oregon by restoring and operating the Willamette Falls navigation canal and locks for commercial, recreational, cultural, historic, heritage and tourism purposes
- Creates a Board of 11. Board members to serve 4 year terms (staggered), eligible for re-appointment. All Members to be appointed by Governor:
 - One tribal member
 - One Metro representative
 - One County representative
 - One City representative
 - One Private Marine Industry representative
 - One representative from the tourism industry
 - One representative with significant Finance experience
 - One representative from the Marketing industry
 - One representative from Economic Development
 - Two at-large positions as determined by the Governor
- Board may elect officers.
- Board may appoint a stakeholder Advisory Committee
- Public Corporation is intended to provide for public accountability and fundamental public policy – but also allow for the flexibility and independence from government regulations typical of private enterprise
- Establishes broad authority to acquire, own, manage, repair, operate, lease, and dispose of property – including the Locks and all associated structures, land, and easements. The PC may do this work directly, or hire outside entities (public agencies or private firms) for any of its operations and functions. This includes State and local agencies, the Army Corps of Engineers, etc.
- Acquire, receive, hold, keep, pledge, control, convey, manage, use, lend, expend and invest funds, appropriations, grants, gifts, bequests, stock and revenue from any source.
- Establish, charge, collect and use charges and fees for authority services and the use of authority facilities (including charges and fees for commercial, passenger, and motorized and non-motorized recreational craft)
- Make contracts and agreements, enter into any partnership, joint venture or other business arrangement, create and participate fully in the operation of any business structure with any government, nonprofit or for-profit person or entity, whether public or private, that in the judgment of the authority is necessary or appropriate to carry out the authority's missions and goals.
- Sue or be sued
- Establishes the authority for the PC to seek legislative funding
- Establishes a process to select a CEO for the public corporation
- Borrow money for the needs of the authority, including issuing and selling revenue bonds or other debt
- Establishes the authority to hire personnel (staff and consultants) to perform PC activities

- Establishes an obligation to file a bi-annual report with the Legislature
- Establishes standard provisions regarding employment – compensation, retirement, insurance, conflict of interest policy.
- Authority to obtain Liability Insurance
- Allows the PC to undertake any other activities necessary to carry out its mission – i.e., the PC would have broad authority, not limited to specifically enumerated powers.
- Broad operational authority, including authority to regulate operating practices to optimize the river experience for all users, to regulate practices related to environmentally hazardous materials, to establish days and times of service for different classes of users, to establish fares for different classes of users and to establish a certification program to enable self-operation by commercial users.