

Dear Senators,

I am writing to you in opposition of House Bill 4138.

I apologize for not providing this input sooner, as I do have strong opposition to this bill. However I didn't anticipate HB 4138 moving forward after comments made by its sponsors during a town hall meeting last month. It was soon after that meeting that HB 4099 was amended to create the task force to study overall boating impacts on all state waters in the state and it was the understanding of the dealers, boat owners and others that HB 4138 would be held back for consideration in 2019. Clearly, the intent of creating the task force was provide time to further consider the most effective and appropriate options available to address erosion and other issues.

I represent the National Marine Manufacturers Association, whose members manufacturer approximately 90% of all boats, trailers and engines manufactured and sold in the United States. Its members include nearly all manufacturers of boats used for towing, whether it be tubes, skiers, wakeboards or wake surfers. Boating is big business and a popular pastime in Oregon. The recreational boating industry in Oregon generates approximately \$1.7 billion in economic activity, supports 8,850 jobs and 490 businesses. Sales of new boats, engines, trailers and accessories totaled \$190 million in 2016.

On behalf of NMMA, the dealers who sell its boats and the boaters who enjoy them, I am writing to ask that the Committee on Business and Transportation defer action on HB 4138 until after a task force on boating to be created by HB 4099 completes its work at the end of 2018.

HB 4138 would provide the Marine Board with the responsibility of developing, adopting and enforcing regulations on erosion issues. These responsibilities require significant expertise, funding, specialized knowledge and staff time to make the learned decisions needed to address the legislature's concerns. It is a complex issue that requires scientifically-based analysis of its often-multiple causes and solutions.

It is easy to point to boating, and particular types of boats, as the source of erosion, and controlling their access to be a handy solution. But studies performed by erosion and wave-energy experts have found the actual causes, effects and solutions defy such simple resolutions, especially when balancing the rights of boats with those of waterfront homeowners.

Among NMMA's other concerns is that granting the Marine Board these powers will make the task force's importance and influence far less important, undercutting it even before it has been formed. Just as HB 4138 and HB 4099 were introduced as a package to address this issue, a similar multi-faceted legislative path can be pursued in 2019. We have no way of knowing today if responsibility for developing erosion control regulations should be provided to the Marine Board, another agency, or a multi-agency working group that draws on the expertise of all Oregon state agencies. There is no emergency requiring the passage of HB 4138 at this time. It seems prudent to take the time to ensure the legislature has the facts it needs to make significant decisions such as this one.

Please let the task force to be created under HB 4099 do its work, and take up this complex issue during the 2019 long session when there is time for stakeholders, state agencies and experts in erosion prevention and control to provide you and your committee with the best possible information for your consideration. Please contact me at (202) 737-9761 or ddickerson@nmma.org should you have questions or concerns.

Thank you very much,

David Dickerson
VP, NMMA State Government Relations
Exec. Director, Personal Watercraft Industry Association
650 Massachusetts Ave #520
Washington, DC 20001
Desk: (202) 737-9761
Cell: (301) 793-2001