

Chair Beyer and members of the committee, thank you for hearing my testimony in opposition to House Bill 4138. My name is Matt Radich, I am the president of Active Water Sports, an Oregon boat dealer. I am here today speaking for all Oregon tow-boat dealers in asking you to oppose this bill.

While this bill may seem well intended, passing it may lead to unforeseen negative consequences. The potential for a small number of home owners or environmental groups to aggressively and unfairly push for targeted use restrictions on our waterways is too great to ignore.

Our opposition to this bill comes from these main areas:

- Revenue and Expenditure impacts for this bill are stated as “None” and “Minimal”, this is only true if nothing is done after ^{the} bill goes into effect. Jim Paul, Director of the Oregon Department of State Lands, specifically notes in his testimony:

“The department does not currently have staff with the expertise necessary to determine the effects of erosion on state-owned submerged and submersible lands by boating activities. Thus, to exercise the option of making such a request, the department would likely need to find additional resources (such as funding for a research study) to examine this issue on state-owned waterways.”

- Erosion involves many factors; boat wakes are a very small segment of the equation. Before any requests could be made to the Marine Board, comprehensive, unbiased studies would have to be undertaken. These studies will have large costs involved.
- If applied incorrectly, it could lead to a prejudicial and unneeded loss of waterway use
- River users, waterfront home owners and tow-boat dealers are currently working together on Marine Board committee to mitigate boat wave related conflicts. We are coming up with real solutions without this bill being in place
- Any future regulation limiting the use of tow boats would lead to a drastic loss of revenue to Oregon tow boats dealers. This revenue loss would lead to a loss of jobs throughout the state.

This bill leaves too many questions unanswered and if enacted, will certainly lead to both costs for the State of Oregon and a potential loss of revenue for Oregon small businesses. This is not the “easy” answer it appears to be and better solutions should be researched.

As small businesses, river users and a group that cares deeply for our natural resources, we urge you to consider all the potential ill effects of this bill and vote no on 4138.

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