



HB5037 Testimony March 9, 2023

Co-Chairs Senator Dembrow Representative Pham and members of the Joint Committee on Ways and Means Subcommittee on Natural Resources Senators Anderson & Frederick, Representatives Hovley, Bobby Levy, Emerson Levy & Owens,

I am Ron Schmidt and I support HB 5037 and all policy option packages especially POP 113.

My wife and I live on a floating home in a DSL submerged lands lease area we pay rent to. We own several boats which we pay thousands to OSMB for registration and waterway access.

I am also President of the Waterfront Organizations of Oregon representing all the submerged land lessees, the waterfront businesses, floating home communities and boat marinas. We are proud of our ability to bring the Federal, Regional, State, County and local leaders, legislators, administrators and enforcement together to the table to combine our knowledge and abilities to forge common solutions.

I am also a retired Certified Insurance Counsellor of over 30 years and helped the DSL formulate workable risk management and insurance risk transfer rules in their revising the submerged lands leases after the OHSU malpractice case. I appreciate the discussions you had this week on insurance as a possible solution.

I am grateful to Governor Kotek for her focus on this very important issue and want to salute Director Vicki Walker and her team for exceptional focus and hard work on state waterways issues and their full commitment to community outreach.

The need for funding of this huge ADV problem is clear. We need the State to have the resources to respond to it. While the cost of ADV is problematic to the State, it is catastrophic to the Oregon families and small

businesses who may or may not lease submerged lands from the Division of State Lands. Even larger organizations like Portland Yacht Club are stunned financially when they have to pay over \$100,000 for a derelict vessel that floated into their breakwater and sunk. We are supportive of you and your efforts and as partners we ask that our families and businesses be protected at the same time. Please make funds available for derelict boat cleanup on ALL public waterways whether it be submerged lands owned by the state, leased or not and for privately owned submerged lands under those same public waterways.

Please remember this, while the state has deep pockets, individual families and small businesses typically don't. I've turned to all insurance sources and experts from Oregon to the US to worldwide. **THERE IS NO COVERAGE AVAILABLE TO PAY FOR THE COST OF A NONOWNED DERELICT VESSEL FLOATING INTO YOUR PROPERTY.** Please don't let this legislation forget your families and businesses. They will be financially devastated without your help.

Please consider this: We can be the eyes and ears for you on the waterfront and volunteers at no cost to you. Please also consider protecting the Waterfront Good Samaritans. **BUT** Today, if someone jumps in to help when a drifting derelict vessel is an eminent threat, that Good Samaritan can be held financially responsible for the removal of that derelict vessel if they secure it. Because of the law today, our river people must push it off to protect their property, their families and their finances. That drifting derelict continues to be a clear and present danger as it continues downstream.

Thank you for your time and consideration. I am in support of HB5037 including Policy Package 113 for ALL healthy public waterways whether the mud below be public, leased or privately owned. And please protect the Good Samaritans who work for all common good.

Best regards,

A handwritten signature in black ink, appearing to read "Ron Schmidt". The signature is fluid and cursive, with the first name "Ron" being more prominent than the last name "Schmidt".

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