

HB 2320 Non-Motorized Boating Permit (Tax)

Chairman Caddy McKeown, members of the committee:

Ronald D. Hilbert
8301 N. Bank Road
Roseburg, OR 97470

I oppose the legislative measure being heard HB2320 Non-Motorized Boating Permit

Oregon has decided to single out a group of recreational users who are the most environmental responsible and non-polluting group there is. Hikers do more damage to trails than paddlers do to river trails.

At a meeting with the North West Rafters Association in Roseburg Oregon 2/9/2017 The Director of the Oregon State Marine Board Scott Brewen. and MariAnn McKenzie was asked a question by Ron Hilbert:

“My first question basically is a permit is an official document that gives me permission to do something, so what does this permit allow me to do?

Scott: If the law passes this permit allows you to be on the waterway in a boat”.

Charging a permit fee (tax) to use Oregon’s waterways is clearly in violation of the Oregon Admission Act

ACT OF CONGRESS ADMITTING OREGON INTO UNION

[Approved February 14, 1859]

Section 2. Jurisdiction over waters forming boundary of state; use of navigable waters as free highways. “***all the navigable waters of said State, shall be common highways and forever free, as well as to the inhabitants of said State as to all other citizens of the United States, without any tax, duty, impost, or toll therefor.*** [11 Stat. 383 (1859)]” (“Impost” is a tax or similar compulsory payment.)

Historically it has been our right and freedom to put our canoe, kayak, driftboat or raft on an Oregon waterway. The state wants to take away that freedom with HB2320.

The State of Florida recently dropped similar legislation that MariAnn McKenzie said was modeled after Oregon’s Non Motorized Boating Permit Program.

In the 70’s California also dropped similar legislation and the State Attorney Generals office declared “***all the navigable waters of said State, shall be common highways and forever free,***” California determined that you can charge for access to the waterway in the form of launching fees and parking fees.

Which is a better way of counting userdays in my opinion and the user who uses the waterways most pays a higher fee overall. California Boating and Waterways department became part of the State Parks system.

There were 9 drownings in Oregon in 2016 by small craft. Most drownings are from not wearing a life jacket or BUI (boating under the influence) intoxication. Many times that number drown in home swimming pools every year, half under the age of 5. I do support wearing a Life Jacket on moving water.

Can the OSMB supersede the Federal U. S. Coast Guard regulations for wearing a life jacket? Federal law does NOT require lifejackets on racing shells, rowing sculls, racing canoes, and racing kayaks, which are Olympic Sports. There is no such exception in this legislation in the text I can find.

Voluntary education is already available through canoe and kayak shops, paddling schools, canoe, kayak & raft clubs, community colleges, and national organizations like the American Canoe Association. Why re-invent the wheel? Only non-profit organizations are allowed receiving funds for education, yet canoe & kayak retailers and paddling schools will be required to pay permit fees and administer mandated OSMB education requirements without access to these funds.

How is a paddling shop to have a demo day if every person is required to purchase a permit just to see if they would like paddling? Shops introduce new people to the sport and do an excellent job of educating new paddlers. This legislation will hurt the sport of canoeing, kayaking, rafting and Oregon tourism.

The permit fee is a barrier to low income people from participating in paddling. I am retired now and on a fixed income and the fee will impact me directly.

Will this improve the quality of your outdoor experience on Oregon's waterways?

Sincerely;

A handwritten signature in black ink, appearing to read 'Ron', with a long, sweeping horizontal stroke extending to the right.

Ronald D. Hilbert

Ron Hilbert has been paddling since 1969 in canoes, kayaks and whitewater rafts. He was Vice Commodore of the Pacific Division of the American Canoe Association and National Cursing Chairman of the American Canoe Association. He contributed to the first instructor training manual for the ACA, a certified whitewater instructor and an American Red Cross canoe instructor. He has been involved in non-profit organizations for many years and has been an expert

witness on the recreational value of rivers in lawsuits for Sacramento County and the State of California. As a river conservationist he has fought battles to save rivers and other waterways. He owned a commercial whitewater raft company and a canoe and kayak shop in Sacramento, CA. His paddling school had 600 students a year from all over the US. He worked for Old Town Canoe Company of Maine and Campways Whitewater Raft Company.