

Mark Meek  
State Senator  
District 20



Oregon State Senate

March 26, 2025

Senate Committee on Energy and Environment  
900 Court Street NE  
Salem, OR 97301

**Re: Support for SB 301-1**

Chair Sollman, Vice-Chair Smith and Members of the Committee,

My name is Mark Meek, and I'm the State Senator for District 20 (Oregon City, Gladstone, Happy Valley), which includes much of the river territory that we're discussing. Thank you for the opportunity to testify in support of Senate Bill 301 with the -1 amendment. This is a small, reasonable adjustment that will restore fairness and balance to public access on the Newberg Pool while maintaining safety and environmental standards.

Let me say that again: This is small, reasonable adjustment. Before I begin talking about what the bill does, **I want to be clear about what SB 301 does not do:**

- SB 301 does not allow wake surfing in the Newberg Pool. Under SB 301, wake surfing is still prohibited.
- SB 301 does not adjust the boundaries of the Newberg Pool. They remain unchanged.
- SB 301 does not eliminate the requirement for boats to obtain a Towed Watersports Endorsement. The bill protects this valuable program.
- SB 301 does not raise the weight limit of 5,500 pounds to obtain this endorsement. The weight limit remains at 5,500 pounds.
- SB 301 does not allow ballast or wake enhancing devices back onto the Newberg Pool. Using ballast or wake enhancing devices remains illegal under SB 301.

**Here is what SB 301 actually does:** It removes "maximum factory ballast capacity" from the definition of a boat's total weight in order to obtain a Towed Watersports Endorsement. It removes this from the definition because, per 2022's SB 1589, using ballast is illegal in the Newberg Pool. Under SB 301, the boat's weight is calculated as its actual, dry weight.

Let me say it another way: Ballast is illegal to use in the Newberg Pool – period. Under SB 301, it remains illegal. So why are we including the maximum ballast capacity in a boat's total weight? If ballast is illegal to carry, then how is it reasonable assume a boat user is carrying maximum ballast – or any at all?

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**This leads to some pretty strange scenarios.** For example: An Axis A20 – with a dry weight of 3,500 pounds – is not allowed to obtain a Towed Watersports Endorsement due to its factory-specified maximum ballast. But a Barletta 26UC – with a dry weight in excess of 5,000 pounds, almost 50% heavier – is allowed to get one.

Furthermore, boats weighing heavier than 5,500 pounds, such as many pontoons and fishing vessels, are already allowed to travel along the Newberg Pool. This inclusion of maximum ballast simply discriminates against some river users – those who enjoy wakeboarding, waterskiing or tubing – without evidence, based solely upon their chosen activity.

You'll hear arguments that this is to ensure compliance. **But compliance is only possible when our laws are consistent and make sense. There is nothing consistent about defining a boat's weight to assume their users are carrying illegal payloads.** We do not legislate our laws to be extra punitive with the implicit assumption that all members of the public are engaging in illegal activity. This is a wrong and ineffective substitute for actual, legal enforcement. As it stands, the current combined factory dry weight and maximum ballast requirement is unnecessarily complicated, making compliance and enforcement more difficult for both boat owners and the Oregon State Marine Board.

You'll also hear that this is about safety. **But SB 301 does not change anything about what activities are allowed or not allowed in the Newberg Pool.** It does not impact any existing safety regulations or codes whatsoever. In fact, despite what opponents to this bill will falsely claim, the Newberg Pool recorded *fewer* reported accidents and *fewer* safety violations in the years prior to 2022 than it has since, as reported by the Oregon State Marine Board. Last year – 2024 – saw more reported accidents and safety violations than any year since at least 2010.

**Again, confusion and lack of consistency in the law reduces safety and makes compliance more difficult. SB 301 fixes that.**

This is why hundreds of Oregonians are pleading, year after year, for the Oregon Legislature to take reasonable action to address this. All they are asking for is fairness. All they ask is for 5,500 pounds to actually mean 5,500 pounds. **The current law is not working; we are simply asking for a small, reasonable fix to align the weight definition with current law.**

SB 301 will not cause more erosion, for which residential development is the leading source of in the Newberg Pool ([see ecological engineer David Gorman's 2021 study](#)). It will not impact fish migration, for which there is no empirical evidence or peer-reviewed research linking boat weight limits to impacts on fish populations. And SB 301 will not bring back wake surfing.

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Families who have responsibly enjoyed towed watersports for generations have been shut out by a weight limit regulation that lacks consistency and common sense. SB 301 proposes a simple, straightforward solution: Align the weight limit definition with the current law in the Newberg Pool by basing the definition on the actual factory dry weight. This adjustment will eliminate the confusion created by including ballast weight – which, once again, is illegal to use in the Newberg Pool anyways – and help local families get back on the water without sacrificing safety or environmental stewardship.

We all love the Willamette River. I love the river. I cherish the river. That’s why I’ve supported legislation to enhance education, safety, and enforcement on the river. And it’s why I support SB 301.

SB 301 simply aligns the weight restrictions on boats obtaining a Towed Watersports Endorsement with the current law that prohibits ballast from being used in the first place. It is a small, fair, and reasonable adjustment that protects our environment, enhances safety, and preserves the cherished outdoor traditions of Oregon families.

Thank you for your time and consideration.

**Mark Meek**  
**State Senator – District 20**