

RE: SB 1593 SUPPORT

Chair Meek, Vice-Chair Drazan, and members of the committee,

My name is Darren Kling, and I am the founder, owner, and operator of Big Sky Balloon Company in Redmond Oregon.

I'm submitting this letter to express my strong support for the Oregon Recreation Commerce and Affordability Act of 2026 (ORCA) - SB1593.

My company has been in business for over 30 years, safely providing scenic hot air balloon flights to the general public in Central Oregon. Providing unique outdoor experiences has been the mainstay of my career and is something that more people are commonly seeking out and enjoying. Any outdoor activity carries with it a certain amount of inherent risks. The provider should be responsible for making the participant aware of the risks involved in a given activity so they can make an informed decision on whether or not those risks are acceptable and if they should choose to participate.

It is typically through the liability waiver or assumption of risk that these risks are clearly spelled out for the participant prior to engaging in the activity. My liability insurance requires that I have a legally drawn up flight waiver that each passenger must sign in order to go on a flight. Liability insurance for guides and outfitters has been increasingly cost prohibitive and more difficult to obtain over the past 10 years. Without an enforceable waiver in place, what incentive does an insurance company have to insure that operator? None. Without this protection in place, a guide business or outfitter can be held totally liable for risk factors that are completely beyond their control.

ORCA is a fair and logical solution to help bring balance to this important sector of the recreation economy in Oregon. It makes little sense that Oregon would be out of step with all other western states that promote and rely on the economic contributions the recreation and tourism industry provides. I strongly believe that an economic study of Oregon's outdoor industry would help quantify just how much this sector contributes to its economy.

I would like to thank the committee for championing this bill and am excited to see this much needed adjustment get passed so we can continue the safe operation of our businesses that highlight many of Oregon's best features and contributes so much to the sustainability of its economy.

Sincerely,

Darren Kling
Big Sky Balloon Co.
Redmond, OR