

## PLEASURE CRAFT AND COMMERCIAL VESSELS POSE DIFFERENT PROBLEMS

We do have some suggestions. The basic one is to sort of separate, in either that bill or in a separate bill, the sections dealing with pollution from pleasure craft and the sections dealing with pollution from commercial vessels.

There are a number of very difficult problems which arise between the two types of craft; one, commercial vessels are rarely found in the inland waterways of the United States, and generally are on the navigable waters, whereas the pleasure craft are found in the inland waters of the United States and not so much on the navigable waters.

That is one reason, Mr. Chairman.

## MODEL LAW ON PLEASURE CRAFT POLLUTION

The other reason we have outlined in the statement. They include the one section of the bill that regulates ballast, but in generally our suggestion is that the Federal law which governs pollution from pleasure craft adopt the guidelines set out by the National Association of State Boating Law Administrators, which is a nationwide association of State boating law officials, and back 4 years ago, in 1963, they began work on a model pollution statute to govern the pleasure craft.

That statute, I might add, has been adopted in a number of States, including New York, Tennessee, North Carolina, and Georgia, and some other States are about to follow suit.

We are really recommending that that statute, with certain modifications, be adopted by the Federal Government, by the Federal Legislature, that it provide an incentive to the States to adopt the same statute with certain modifications and if the State would do so, then the State would have primary jurisdiction over the navigable and non-navigable waters of the State, to regulate this form of pollution from pleasure craft.

This is not unique, I might say, Mr. Chairman.

The Boating Act of 1958, which is the act which gives the States most of their control over licensing of boats and other types of pleasure craft equipment, vested primary jurisdiction in the Federal Government unless the States adopted the principles of the Boating Act within a reasonable period of time. Forty-seven States did adopt that act and, as a consequence, in those 47 States there are concurrent jurisdictions with the Federal Government on the navigable waters and exclusive State jurisdiction on the nonnavigable waters.

The principle behind that bill which we also feel should be the principle behind this bill is that we do get uniformity of laws and the requirements for pollution control devices in one State will be the same as those in the other State, but the primary jurisdiction for enforcing those requirements would rest with the State Governments and not the Federal Government.

That, basically, Mr. Chairman, is the sum and substance of our testimony.

I do not think it is necessary to go into other details. I will be happy to answer any questions.

Mr. McCARTHY. Thank you very much, Mr. Boggs.

Mr. Chairman, did you have some questions?