

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1413-01
Bill No.: HB 549
Subject: Natural Resources Dept.; Historic Preservation
Type: Original
Date: April 5, 2005

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2006 | FY 2007 | FY 2008 |
| | | | |
| | | | |
| Total Estimated Net Effect on General Revenue Fund | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2006 | FY 2007 | FY 2008 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2006 | FY 2007 | FY 2008 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2006 | FY 2007 | FY 2008 |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue** assume no fiscal impact to their agency.

Officials from the **Department of Natural Resources (DNR)** assume this proposal introduces a tiered system of permits for research, exploration and salvage. The DNR does not anticipate any need for increased staffing or Equipment and expense due to this proposal.

While it is estimated that there are over 600 shipwrecks in Missouri's waterways, in reality, the anticipated volume of any activity involving shipwrecks in a given year is likely to remain relatively low.

Officials with the **Department of Transportation (MoDOT)** assume the fiscal impact of this proposal is unknown but it expected to be less than \$100,000. MoDOT would either need to hire a new employee with expertise in the area of maritime archaeology or establish a contract with a consultant with this specialization. A MoDOT title of Archaeologist, pay grade 16, has an estimated salary of \$50,000. Also, individual permits at a cost of \$500 to \$1,500 each would need to be obtained to investigate a shipwreck. The fiscal impact cannot be easily determined as the frequency of encountering sunken shipwrecks when building highways and highway bridges cannot be predicted. The additional cost of renting space for storage of such artifacts as required by this proposal is also unknown.

ASSUMPTION (continued)

Oversight assumes this would be accomplished during the normal budgetary process. Therefore, Oversight assumes the initial administrative impact of this proposal is \$0.

| <u>FISCAL IMPACT - State Government</u> | FY 2006 (10 Mo.) | FY 2007 | FY 2008 |
|---|---------------------|------------|------------|
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

| <u>FISCAL IMPACT - Local Government</u> | FY 2006 (10 Mo.) | FY 2007 | FY 2008 |
|---|---------------------|------------|------------|
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

Currently, a person who wishes to salvage a submerged shipwreck must obtain a permit from the Department of Natural Resources and pay a permit fee. This bill prohibits the department from issuing the permit without a detailed excavation, conservation, and preservation plan and proof that the applicant has adequate funding for the salvage. The permit applicant is required to be or to hire a professional maritime archaeologist. If the applicant does not fulfill all tasks in the scope of work related to the shipwreck, all items and data regarding the shipwreck are forfeited to the state. The state may not limit visitation to a shipwreck unless there are certain apparent threats. The current permit fee is increased from \$100 to \$500.

Persons who wish to salvage a submerged embedded abandoned shipwreck are required to positively identify the shipwreck. The person must apply for an exploratory permit from the department and pay an application fee not to exceed \$1,500 to the Director of the Department of Revenue. The Department of Natural Resources has 30 days to comment on any application. The permit allows the applicant to search for and identify the precise location of the individual shipwreck. The applicant will have two years to demonstrate that the specific shipwreck has been located.

DESCRIPTION (continued)

The bill also specifies a process for professional maritime archaeologists and accredited museums to obtain a permit for a fee of \$100 for research and training and establishes the conditions of the permit. If a shipwreck has been previously, positively identified and located, an exploratory permit is not necessary; and the applicant may apply for a salvage permit. Conditions are also specified for ongoing professional archaeological research and restrictions on shipwrecks located in state parks and historic sites.

The terms "embedded," "historic shipwreck materials," "land beneath navigable waters," "national register," "professional maritime archaeologist," "salvage," and "visitation" are defined.

Persons who knowingly take historic shipwreck materials from state navigable waters or vandalize a shipwreck are guilty of a class A misdemeanor for the first offense and a class D felony for a second or subsequent offense.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Natural Resources
Department of Transportation
Department of Revenue



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Director

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