

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3903-01  
Bill No.: HB 1610  
Subject: Boats and Watercraft; Lakes, Rivers and Waterways  
Type: Original  
Date: January 16, 2008

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Bill Summary: This proposal imposes restrictions on operation of watercraft and abandonment of boat docks.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
General Revenue	\$0	Minimal	Minimal
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>Minimal</b>	<b>Minimal</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
State School Money	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Local Government</b>	<b>Minimal</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Conservation** and the **Department of Public Safety - Director's Office** and **Water Patrol** each assume the proposal would not fiscally impact their respective agencies.

**Oversight** assumes there will be some additional fine revenue generated from the additional infractions created by this proposal (vessels larger than 30 feet must operate in a no-wake status within 300 feet of a dock, pier or occupied anchored vessel; persons who abandon a dock and permits it to float freely; and docks on certain bodies of water not displaying a "911" address nearest to the dock by land). Officials from the **Water Patrol** assume very few tickets would be written for these infractions, especially in the first several years when public education is stressed by issuing warnings. Therefore, Oversight will assume that a minimal amount of fine revenue will be generated by this proposal.

**Oversight** assumes the fine revenue will be paid to the local school district; however, this will count as an adjustment to the amount the state pays to the local school district in the next year. Therefore, the amount of fine revenue collected by a school district in FY 2009, will be a reduction in the calculation of school funding the school district will receive in FY 2010.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
<b>GENERAL REVENUE</b>			
<u>Savings</u> - from reduced appropriations to the State School Moneys Fund resulting from increased fine revenue	<u>\$0</u>	<u>Minimal</u>	<u>Minimal</u>
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<u><b>\$0</b></u>	<u><b>Minimal</b></u>	<u><b>Minimal</b></u>

FISCAL IMPACT - State Government  
 (continued)

FY 2009  
 (10 Mo.)

FY 2010

FY 2011

**STATE SCHOOL MONEYS FUND**

Savings - Lower distribution to local school districts from increased local fine revenue

\$0

Minimal

Minimal

Loss - Smaller transfer in from General Revenue Fund to distribute to local school districts

\$0

(Minimal)

(Minimal)

**ESTIMATED NET EFFECT TO THE STATE SCHOOL MONEYS FUND**

\$0

\$0

\$0

FISCAL IMPACT - Local Government

FY 2009  
 (10 Mo.)

FY 2010

FY 2011

**LOCAL SCHOOL DISTRICTS**

Revenue - Increased fine revenue from boats 30 feet or more in length operating in a no-wake zone that is now 300 feet instead of 100 feet from docks, piers, or anchored vessels, as well as from docks not properly displaying the "911" address of nearest to the dock by land as well as owners of abandoned docks

Minimal

Minimal

Minimal

Loss - Reductions in state funds for school districts that are not hold harmless due to the deduction from fine revenue

\$0

(Minimal)

(Minimal)

**ESTIMATED NET EFFECT TO LOCAL SCHOOL DISTRICTS**

Minimal

\$0

\$0

### FISCAL IMPACT - Small Business

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

### FISCAL DESCRIPTION

This bill prohibits any vessel 30 feet or longer from being operated within 300 feet of any dock, pier, or occupied anchored vessel on any lake at a speed in excess of slow-no wake speed unless the vessel is operated by a member of the State Water Patrol, a law enforcement officer, or emergency personnel in response to an emergency call, a law enforcement investigation, or other authorized law enforcement activity.

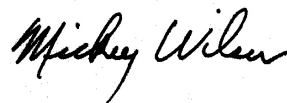
Currently, any person who abandons a boat dock and allows it to float freely without being moored in a lake having at least 950 miles of aggregate shoreline will be guilty of an infraction and may be fined from \$25 to \$100. The bill expands this crime to include all lakes constructed or maintained by the United States Army Corps of Engineers, except bodies of water owned by a person, corporation, association, partnership, municipality or other political subdivision, public water supply impoundments, or drainage districts.

Beginning January 1, 2010, any person owning a boat dock on certain lakes having at least 950 miles of shoreline and lakes constructed or maintained by the United States Army Corps of Engineers must display identifying information on the dock. Any person violating this provision will be guilty of an infraction and may be fined up to \$25.

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 Public Safety  
Department of Conservation



Mickey Wilson, CPA  
Director

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