

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1507-02  
Bill No.: HCS for HB 657  
Subject: Boats and Watercraft; Crimes and Punishment; Lakes; Rivers and Waterways  
Type: Original  
Date: April 3, 2009

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Bill Summary: This proposal requires the posting of a '911' address on boat docks beginning in 2010.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
General Revenue	\$0	\$0 or Unknown	\$0 or Unknown
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0 or Unknown</b>	<b>\$0 or Unknown</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
State School Moneys	\$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 2010	FY 2011	FY 2012
<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 2010	FY 2011	FY 2012
<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 2010	FY 2011	FY 2012
<b>Local Government</b>	<b>\$0 or Unknown</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Public Safety - Water Patrol** and the **Office of the State Courts Administrator** each assume the proposal will not fiscally impact their respective agencies.

Officials from the **Office of Prosecution Services** state the proposal will have no measurable fiscal impact on their agency. The potential fiscal impact on county prosecuting attorneys will necessarily depend on the extent to which law enforcement agencies choose to enforce this provision and/or are able to enforce this provision. If law enforcement agencies make arrests under this provision, there may be an impact based on the additional cases that may be filed.

For the purpose of this proposed legislation, officials at the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide competent, effective representation for any new cases arising where indigent persons are charged with the proposed new crime of possessing glass containers near a waterway - a new Class C misdemeanor.

Passage of bills increasing penalties on existing crimes, or creating new crimes, requires the State Public Defender System to further extend resources. While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide competent and effective representation in all its cases.

Officials from the **Department of Conservation (MDC)** state if they are required to post signs at some docks, this proposed legislation would have minimal fiscal impact on MDC funds.

Officials from the **Department of Natural Resources** state their Division of State Parks may be required to post signs at some docks; however, the fiscal impact would be minimal.

**Oversight** assumes the changes within the proposal could generate some additional fine revenue from the infractions of abandoning a boat dock and failing to display identifying information on a boat dock. Oversight will reflect this as a potential unknown amount of income to the local school districts and then a corresponding reduction in state funding to the schools in the following year. Oversight will assume the income and reduction of school districts will net to zero after the first year.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
<b>GENERAL REVENUE</b>			
<u>Savings</u> - potential reduction in school funding as a result of additional fine revenue paid to local school districts because of this proposal.	<u>\$0</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<u><b>\$0</b></u>	<u><b>\$0 to Unknown</b></u>	<u><b>\$0 to Unknown</b></u>
<b>STATE SCHOOL MONEYS</b>			
<u>Savings</u> - reduced payments to local school districts	\$0	\$0 to Unknown	\$0 to Unknown
<u>Loss</u> - potential reduction in funding from the General Revenue fund for schools	<u>\$0</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>
<b>ESTIMATED NET IMPACT TO THE STATE SCHOOL MONEYS FUND</b>	<u><b>\$0</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
<b>LOCAL SCHOOL DISTRICTS</b>			
<u>Income</u> - potential increase in fine revenue from infractions of abandoning a dock and failing to display 911 information on a dock	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Loss</u> - reduction in school funding as a result of additional fine revenue collected in the prior year	<u>\$0</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT TO LOCAL SCHOOL DISTRICTS</b>	<u><b>\$0 or Unknown</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>

#### FISCAL IMPACT - Small Business

Small businesses with a dock may have to purchase a sign to display 911 information as a result of this proposal.

#### FISCAL DESCRIPTION

This bill changes the laws regarding boat docks and the possession of certain containers near waterways.

#### **BOAT DOCKS**

Beginning January 1, 2010, a person owning a boat dock on a lake with at least 950 miles of shoreline or on a lake constructed or maintained by the United States Army Corps of Engineers with certain specified exceptions will be required to display the appropriate 911 street address nearest to the dock by land. The bill specifies how and where the address must be displayed. A person who fails to display the identifying information will be guilty of an infraction.

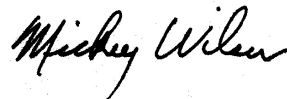
The bill changes the infraction of abandoning a boat dock to include all waters of the state, not just lakes with at least 950 miles of aggregate shoreline, and removes the fine.

FISCAL DESCRIPTION (continued)

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  
Office of the State Courts Administrator  
Department of Natural Resources  
Department of Conservation  
Office of Prosecution Services  
Office of the State Public Defender



Mickey Wilson, CPA  
Director  
April 3, 2009