

**Legislative
Fiscal Office**

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**Joint Committee on
Ways and Means**

Sen. Betsy Johnson, Senate Co-Chair
Sen. Elizabeth Steiner Hayward, Senate Co-Chair
Rep. Dan Rayfield, House Co-Chair

Sen. Jackie Winters, Senate Co-Vice Chair
Rep. David Gomberg, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

To: Natural Resources Subcommittee
From: Tim Walker, Legislative Fiscal Office
Date: May 1, 2019
Subject: SB 47 A – Relating to small watercraft.

The bill establishes new fees on nonmotorized boats over ten feet dedicating the revenues to the Waterway Access Fund within the Oregon State Marine Board (OSMB) for the purpose of awarding grants. Grants will fund land acquisition for, construction of, and maintenance of boating facilities that serve non-motorized boaters; as well as grants to public bodies, tribal governments and non-profit for boater safety education courses and purchasing boat equipment to use for projects that reduce barriers for under-served communities. The legislation also establishes a new 1-week waterway access permit which would dedicate \$1 of every permit sale to the Aquatic Invasive Species Prevention Fund. In addition, the bill directs the Board to return to the Legislative Assembly in 2020 and 2021 and report on the implementation of the program.

When fully enacted the measure will generate approximately \$1.0 million per biennium. This legislation is contemplated in Policy Option Packages 102, 302, and 402 in the Board’s budget bill, SB 5521.

Final Subcommittee Action

MOTION: I move SB 47 A to the Full Committee with a do pass recommendation.
(VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 47 - A

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office*Only Impacts on Original or Engrossed
Versions are Considered Official*Prepared by: Krista Dauenhauer
Reviewed by: Tim Walker
Date: 3/27/2019**Measure Description:**

Requires person operating nonmotorized boat to have waterway access permit.

Government Unit(s) Affected:

Oregon State Marine Board (OSMB)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

	2019-21 Biennium	2021-23 Biennium
Other Funds	894,445	1,127,666
Total Funds	\$894,445	\$1,127,666
Positions	1	1
FTE	0.75	1.00

Summary of Revenue Impact:

Other Funds - WA	991,480	1,366,726
Other Funds - AISP	8,516	11,624
Total Funds	\$999,996	\$1,378,350

Analysis:

The bill establishes new fees on nonmotorized boats over ten feet dedicating the revenues to the Waterway Access Fund within the Oregon State Marine Board (OSMB) for the purpose of awarding grants. Grants will fund land acquisition for, construction of, and maintenance of boating facilities that serve non-motorized boaters; as well as grants to public bodies, tribal governments and non-profit for boater safety education courses and purchasing boat equipment to use for projects that reduce barriers for under-served communities. The legislation also establishes a new 1-week waterway access permit which would dedicate \$1 of every permit sale to the Aquatic Invasive Species Prevention Fund. Agent fees currently prescribed by statute would be set by rule. OSMB would also be required to collaborate with recreation user groups and law enforcement for the purpose of educating nonmotorized boat users about the requirement to obtain a waterway access permit. OSMB must also submit two reports regarding the implementation of this legislation to the Legislative Assembly no later than September 15, 2020; and the second no later than September 15, 2021.

This legislation corresponds to the following Waterway Access Account Policy Option Packages (POP) within the Oregon State Marine Board Budget (SB 5521): POP #102, #302, and #402.

Waterway Access (WA) Fund

Additional revenue generate in the 2019-21 biennium is estimated at \$991,480 Other Funds (OF), and \$1.37 million in the 2021-23 biennium. The funding will be spent \$80,000 OF on services and supplies, \$682,000 OF transfer out to grants, \$270,590 OF for one permanent Facilities Engineer 1 position (0.75 FTE), with an estimated

ending balance of \$91,335 OF in the 2019-21 biennium. Expenditure estimates for the 2021-23 biennium include \$88,000 OF on services and supplies, \$850,000 OF transfer out to grants, and \$189,666 OF for one permanent Facilities Engineer 1 position (1.00 FTE).

Aquatic Invasive Species Prevention (AISP) Fund

Anticipated to generate an additional \$8,516 OF revenue in the 2019-21 biennium from the proposed one-week permit sales and \$11,624 OF in the 2021-23 biennium. The additional revenue will support existing expenditures associated with the fund.

Waterway Access Permit Type	Fee Amonut	Fee Split to AISP Account	Fee Split to WA Account	Estimated Number of 2019-21 Transactions	Estimated Number of 2021-23 Transactions	Estimated Additional 2019-21 AISP Revenue	Estimated Additional 2019-21 WA Revenue	Estimated Additional 2021-23 AISP Revenue	Estimated Additional 2021-23 WA Revenue
2-year	\$30 / boat	\$10	\$20	42,951	59,378		859,020		1,187,560
1-year	\$17 / boat	\$5	\$12	5,968	7,975		71,616		95,700
1-week	\$5 / boat	\$1	\$4	8,516	11,624	8,516	34,064	11,624	46,496
1-year Livery 6-10 boats	\$90 flat fee	\$30	\$60	59	83		3,540		4,980
1-year Livery 11-20 boats	\$165 flat fee	\$55	\$110	64	89		7,040		9,790
1-year Livery 21+ boats	\$300 flat	\$100	\$200	81	111		16,200		22,200
Total						\$8,516	\$991,480	\$11,624	\$1,366,726

SB 47 A STAFF MEASURE SUMMARY

Joint Committee On Ways and Means

Prepared By: Tim Walker, Budget Analyst

WHAT THE MEASURE DOES:

Establishes Waterway Access Fund (Fund). Appropriates moneys in Fund to the Oregon State Marine Board (Marine Board) to award grants for non motorized boat waterway access, boating safety education, and waterway access for underserved communities. Requires person 14 years of age or older to carry waterway access permit while operating a non motorized boat. Establishes permit fees and deposit of a portion of each fee into the Fund and remainder into the Aquatic Invasive Species Prevention Fund Account. Establishes exemptions from requirement to obtain waterway access permit. Eliminates requirement that person operating a non motorized boat, at least 10 feet or more, must purchase Aquatic Invasive Species (AIS) permit and stipulates a person operating a sailboat, at least 12 feet, must purchase AIS permit. Makes violation of requirement to obtain a waterway access permit a Class D violation. Requires Marine Board to collaborate with recreation user groups and law enforcement agencies to educate non motorized boaters about the requirement to obtain a permit. Requires Marine Board to submit two reports to interim legislative committees on implementation of the permit program; specifies report contents. Makes permit requirement operative on August 1, 2020. Authorizes Marine Board to take actions prior to operative date to enable Board to implement permit program on operative date. Makes conforming amendments to AIS permit statutes. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

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EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon State Marine Board is charged with regulating boating activities while promoting the multiple use and enjoyment of waters of the state.

Senate Bill 47A would establish the Waterway Access Fund to improve waterway access and promote boating safety education for the non motorized boating community. The measure would also require a person operating a non motorized boat that is greater than 10 feet in length to obtain a waterway access permit, set permit fees, and eliminate the requirement to purchase an Aquatic Invasive Species permit for the same non motorized boat.