

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSHB 216(RES)
Fiscal Note Number:	1
(H) Publish Date:	3/21/2016

Identifier: HB216-DNR-MLW-3-14-2016
Title: NAVIGABLE WATER; INTERFERENCE,
DEFINITION
Sponsor: TALERICO
Requester: House Resources

Department: Department of Natural Resources
Appropriation: Fire Suppression, Land & Water Resources
Allocation: Mining, Land & Water
OMB Component Number: 3002

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates				
			FY 2017	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2017						
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0		0.0		0.0		0.0

Fund Source (Operating Only)

None							
Total	0.0		0.0		0.0		0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed? N/A

Why this fiscal note differs from previous version:

Initial Version

Prepared By:
Division:
Approved By:
Agency:

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Mining, Land and Water
Marty Rutherford, Acting Commissioner
Department of Natural Resources

Phone: (907)269-8625
Date: 03/14/2016 12:00 AM
Date: 03/14/16

FISCAL NOTE ANALYSIS

STATE OF ALASKA
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Analysis

DNR anticipates that there will be no direct fiscal impact to the department from this legislation.

Section 1 of the bill proposes to revise AS 38.05.965(14) to amend the definition of "navigable water" for purposes of state law on public use to remove the phrase "but not limited to" and instead enumerate different useful public purposes of waterbodies in both frozen and liquid states. Removing the open ended language and instead providing additional definitions of useful public purposes may create ambiguity about navigability and the intent of the change, and thus indirectly result in increased costs for the State during future navigability determinations and litigation related to the ability of the public to use state waters.

Section 2 of the bill proposes to revise AS 38.05.128(a) to repeal paragraph (1), which provides that obstructions to navigable waters may be authorized by a federal agency and state agency. This does not seem to significantly alter DNR's management of water, and is not expected to result in direct costs.