

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version: HB 216
Fiscal Note Number: _____
() Publish Date: _____

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	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2017 Request	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
OPERATING EXPENDITURES	FY 2017	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

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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If yes, by what date are the regulations to be adopted, amended or repealed?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: <u>Brent Goodrum, Director</u>	Phone: <u>(907)269-8625</u>
Division: <u>Mining, Land and Water</u>	Date: <u>03/14/2016 12:00 AM</u>
Approved By: <u>Marty Rutherford, Acting Commissioner</u>	Date: <u>03/14/16</u>
Agency: <u>Department of Natural Resources</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

BILL NO. HB 216

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.