

HB

93

# SENATE COMMITTEE REPORT

DATE: 04/02/04

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 4/21/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 93(FIN)

## HB 93 BOATING SAFETY,REGISTRATION, NUMBERING

"An Act relating to boating safety, registration, and numbering; extending the sunset date of changes in ch. 28, SLA 2000; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>House Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
DNR	7/13/04			✓	3
DOA	7/14/04	✓			4

ALL APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John J. Cooney</i>	✓			
<i>Robert A. Stebbins</i>	✓			
CHAIR: <i>[Signature]</i>	✓			

CS for HB 93 (FIN)

Sponsor Statement

**Boating Safety Act Reauthorization**

Between 1965 and 1987, every state and territory except Alaska successfully established a comprehensive boating safety program. During this same time period, Alaska consistently suffered from the worst recreational boating fatality rate in the nation – over 10 times the national average. Finally, in 2000, HB 108, the Alaska Boating Safety Act, sponsored by Representative Bill Hudson, was signed into law after 11 successive attempts at passage.

The Act did two things: it consolidated boating regulatory functions and it created a steady funding source for boater education program for the state of Alaska. Funding for the new registration function is derived from federal motor fuel taxes collected in Alaska as well as revenues from the boat registration program.

Proceeding cautiously, the 21<sup>st</sup> Legislature added repealing language for the program if the state did not receive the anticipated federal marine fuel funds. If the future funding stream did not come through, the 2005 sunset would take effect and the comprehensive boating safety education program would face termination.

Essentially, it was left to a future legislature to verify the funding stream was indeed in place. The Sponsor of HB 93 states that as expected, the federal funds for the boater education component are in place and the sunset provisions of the Alaska Boating Safety Act can be dropped. The House Transportation Committee eliminated the single-most controversial provision of the Boater Safety Act: the requirement for registration of non-powered boats. This revision can be accomplished without impacting any federal funding to the state's boater education programs. Additionally, the House Finance Committee re-inserted the sunset provision for this program, in effect extending the sunset date until 2010.

*Contact: Linda Sylvestre  
465-3744*

*Last updated: February 2, 2004*

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: 3  
 Bill Version: CSHB 93(FIN)  
 (H) Publish Date: 2/2/04

Revision Date/Time (Note if correction): 12/30/2003 Dept. Affected: Natural Resources  
 Title: An Act relating to boating safety: repealing RDU: Parks & Recreation Management  
secs. 3,5,7,9,11,14,18,23,26,27,30 Component: Parks & Recreation Access  
 Sponsor: Representative Weyhrauch  
 Requester: (H) FIN Component No. 2136

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

No fiscal impact is associated with this bill.

The primary purpose of this bill is to repeal the sunset provision of the Alaska Boating Safety Program.

Prepared by: Jeff Johnson Phone 907/269-8705  
 Division: Parks and Outdoor Recreation Date/Time 1/13/2004  
 Approved by: Tom Irwin, Commissioner Date 1/13/2004  
 Agency: Natural Resources

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: 4  
 Bill Version: CSHB 93(FIN)  
 (H) Publish Date: 2/2/04

Revision Date/Time (Note if correction): 1/16/2004 11:30am Dept. Affected: Administration  
 Title An act relating to boating safety and RDU Division of Motor Vehicles  
numbering..... Component Motor Vehicles  
 Sponsor Representative Weyhrauch  
 Requester (H) STA Component No. 2348

**Expenditures/Revenues (Thousands of Dollars)**

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	(23.3)	(23.3)	(23.3)	(23.3)	(23.3)	(23.3)
Travel						
Contractual	(1.5)	(1.5)	(1.5)	(1.5)	(1.5)	(1.5)
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>(24.8)</b>	<b>(24.8)</b>	<b>(24.8)</b>	<b>(24.8)</b>	<b>(24.8)</b>	<b>(24.8)</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	<b>(30.0)</b>	<b>(30.0)</b>	<b>(30.0)</b>	<b>(30.0)</b>	<b>(30.0)</b>	<b>(30.0)</b>
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**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1156 Receipt Supported Services	(24.8)	(24.8)	(24.8)	(24.8)	(24.8)	(24.8)
<b>TOTAL</b>	<b>(24.8)</b>	<b>(24.8)</b>	<b>(24.8)</b>	<b>(24.8)</b>	<b>(24.8)</b>	<b>(24.8)</b>

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time	-1	-1	-1	-1	-1	-1
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The committee substitute exempts non-powered boats from registration. In FY 2003 there was \$30,700 deposited to receipt supported services associated with the registration of non motorized boats. The amount collected has been in decline for the past few years.

FY 2004 marks the three years anniversary of the inception of the non-motorized boats renewal program. Where we should be seeing an increase in registrations resulting from renewals this year the early estimates are actually showing a decrease overall in non-motorized boat registrations. FY 2004 revenues are estimated to be less than \$30,000 for non-motorized boat registrations.

Prepared by: Duane Bannock Phone 269-5559  
 Division: Motor Vehicles Date/Time 1/16/04 3:09 PM  
 Approved by: Mike Miller, Commissioner Date 1/16/2004  
 Agency: Department of Administration

# ALASKA STATE LEGISLATURE

REPRESENTATIVE BRUCE WEYHRAUCH  
HOUSE DISTRICT 4



ALASKA  
STATE CAPITOL  
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## Sectional Analysis

HB 93  
The Alaska Boating Safety Act

**Background.** In 2000, the Legislature passed HB108 or The Alaska Boating Safety Act. This was a comprehensive bill regulating boats and establishing a uniform state waterway marking system. It was enacted in ch. 28, SLA 2000. Bill sections 1, 2, 4, 5, 8, 10, 12, 13, 15, 17, 19, 21, 22, 24, and 25 took effect on August 9, 2000 and they appear in the statutes under AS 05.25.010 – 05.25.100. These statutes are The Alaska Boating Safety Act that is in effect today.

In addition, HB 108 enacted other sections (3, 5, 7, 9, 11, 14, 16, 18, 20, 23, 26, and 27) that will repeal some of the provisions that took effect on August 9, 2000. These bill sections have not yet taken effect, but according to section 30, they will take effect on one of two possible dates or circumstances:

1. July 1, 2005; or
2. 90 days after the chair of Legislative Council notifies the reviser of statutes that in the previous fiscal year, the state did not receive and does not anticipate receiving federal funding for a statewide boating and safety education program.

The provisions found in sections 3, 5, 7, 9, 11, 14, 16, 18, 20, 23, 26, and 27 are minimal boating safety provisions that not only fall short of the federal guidelines but fail to provide Alaskans with a comprehensive boating safety and education program.

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**Section 1.** Amends AS 05.25.055(a), the registration and numbering of boats.  
Deletes the registration requirement for all boats not equipped with mechanical propulsion.

**Section 2.** Amends AS 05.25.055(i), exempts all boats not equipped with mechanical propulsion.

**Section 3.** Extends the "sunset" date of the federally recognized Alaska Boating Safety Act until July 1, 2010, or 90 days after the chair of Legislative Council notifies the reviser of statutes that in the previous fiscal year, the state did not receive and does not anticipate receiving federal funding for a statewide boating and safety education program.

**Section 4.** Provides for an immediate effective date.

Updated: February 2, 2004