

HB

301

<TARGET><BILL>HB 301</BILL><SUBJECT>HB
301</SUBJECT><COMM>SFIN27</COMM></TARGET>

SENATE FINANCE COMMITTEE REPORT

DATE: 4/11/12

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Finance Committee considered CS FOR HOUSE BILL NO. 301(FIN)

HB 301 BOATING REGULATION: SUNSET/ENFORCEMENT

"An Act relating to enforcement of boating safety statutes; amending the termination date of certain statutes relating to the use, operation, and regulation of boats, a uniform state waterway marking system, and civil liability for boat owners; providing for an effective date by amending the effective date of secs. 3, 5, 7, 9, 11, 14, 16, 18, 20, 23, 26, and 27, ch. 28, SLA 2000, as amended; and providing for an effective date."

and recommends:

- be ~~replaced~~ ^{previous} with SCS CS HB 301 (LHC) Same Title Technical Title Change
 New Title/SCR No. _____
- adopt previous SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LEG
CED	LAW
COR	LWF
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
DNR	X			1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	THOMAS	<input checked="" type="checkbox"/>			
	EGAN	<input checked="" type="checkbox"/>			
	ORSON			<input checked="" type="checkbox"/>	
	ELLIS	<input checked="" type="checkbox"/>			
CO-CHAIR:	Hoffman	<input checked="" type="checkbox"/>			
CO-CHAIR:	Stedman	<input checked="" type="checkbox"/>			

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB 301
Fiscal Note Number 1
(H) Publish Date 2/24/12

Identifier (file name) HB301-DNR-PM-2-17-12 Dept. Affected Department of Natural Resources
Title Sunset of Boating Regulation Appropriation Parks and Outdoor Recreation
Allocation Parks Management and Access
Sponsor Rep. Austerman
Requester House Labor & Commerce OMB Component Number 3001

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services		490.0	490.0	490.0	490.0	490.0	490.0	490.0
Travel		70.0	70.0	70.0	70.0	70.0	70.0	70.0
Services		760.0	760.0	760.0	760.0	760.0	760.0	760.0
Commodities		130.0	130.0	130.0	130.0	130.0	130.0	130.0
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	0.0	1,450.0	1,450.0	1,450.0	1,450.0	1,450.0	1,450.0	1,450.0

FUND SOURCE		(Thousands of Dollars)						
		FY13	FY14	FY15	FY16	FY17	FY18	
1002	Federal Receipts		1,250.0	1,250.0	1,250.0	1,250.0	1,250.0	
1003	GF Match							
1004	GF							
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1216	Boat Rcpts (Other)		200.0	200.0	200.0	200.0	200.0	
TOTAL		0.0	1,450.0	1,450.0	1,450.0	1,450.0	1,450.0	

POSITIONS							
Full-time		4	4	4	4	4	4
Part-time		2	2	2	2	2	2
Temporary							

CHANGE IN REVENUES							

Estimated SUPPLEMENTAL (FY12) operating costs 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial Version

Prepared by Ben Ellis, Director
Division Division of Parks and Outdoor Recreation
Approved by Daniel S. Sullivan, Commissioner
Department of Natural Resources

Phone 907-269-8701
Date/Time 2/17/12 5:00 PM
Date 2/17/2012

FISCAL NOTE #1

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB 301

Analysis

Section 1 of this bill repeals the sunset date provision contained in ch. 28, SLA 2000 of the Alaska Boating Safety Act (AS.05.25) thereby allowing the Alaska Boating Safety Program to continue. If the program sunsets, state boating education programs will end. Furthermore, Alaska's state boating laws will no longer be consistent with other states or with federal law and boat registration fees paid by Alaskans will go to the U.S. Treasury rather than remain in the state.

No additional fiscal impact is associated with this bill as the project is currently included in the governor's FY13 operating budget. The program is funded primarily by a federal grant and some general fund receipts from boat registration fees. The fiscal impacts for future years is estimated based on average Federal funding in previous years.



Representative Alan Austerman
House Majority Leader

Alaska State Legislature

Sponsor Statement for House Bill 301: An act amending the termination date of the statewide boating safety and education program

House Bill 301 repeals the sunset dates of the Statewide Boating Safety and Education Program. Through this program the State of Alaska works in close cooperation with the U.S. Coast Guard, U.S. Coast Guard Auxiliary, and other partners to provide national award winning programs such as the popular *Kids Don't Float* life jacket loaner program, nationally approved boating courses, instructor training, video production, and numerous publications and instructor tools. Alaska's non-commercial boating fatalities have dropped more than 20% since state efforts began, and at least **19** Alaskan children are alive today thanks to a *Kids Don't Float* life jacket. The program has been repeatedly recognized for excellence, including the U.S. Coast Guard's Meritorious Public Service Award.

Between 1987 and 2000 Alaska was the only state without a comprehensive recreational boating safety program, even though Alaska had one of the highest fatality rates in the nation. During the same time, Alaska's share of the federal funding available to the states for boating safety programs was being distributed to the others states. Following 11 attempts at passage, in May of 2000, HB 108, the *Alaska Boating Safety Act* (AS 05.25) was signed into law.

The Act did four things:

1. It brought Alaska's state boating laws into uniformity with federal laws.
2. It assigned the state's boating regulatory functions to appropriate state agencies (DNR as the lead agency, DPS for law enforcement and DMV for boat registration).
3. It qualified Alaska to receive the state's share of federal grant funds.
4. It established Alaska's boating education program.

The 21st Legislature originally added two 'sunset' provisions to repeal the *Alaska Boating Safety Act* in the event the state did not receive the anticipated federal funds. The first sunset would take effect and the Boating Safety program would terminate if federal funds were not appropriated. The second sunset terminated the program by date, currently July 1, 2013.

The program's efforts have proved to significantly reduce Alaska's boating fatality rate and the sunset provisions of the *Alaska Boating Safety Act* should be repealed on the merit of its success.

Alaska Boating Safety Program Funding History		
Federal Fiscal Year	Federal Grant	DMV Receipts
FFY1999	\$ 329,213.00	
FFY2000	\$ 385,091.00	
FFY2001	\$ 438,759.00	
FFY2002	\$ 435,194.00	
FFY2003	\$ 490,104.00	
FFY2004	\$ 459,675.00	
FFY2005	\$ 478,242.00	
FFY2006	\$ 787,898.00	\$ 200,000.00
FFY2007	\$ 1,057,425.00	\$ 200,000.00
FFY2008	\$ 1,064,878.00	\$ 200,000.00
FFY2009	\$ 1,113,068.00	\$ 200,000.00
FFY2010	\$ 1,047,746.00	\$ 200,000.00
FFY2011	\$ 1,039,646.00	\$ 200,000.00
FFY2012*	\$ 913,385.00	\$ 200,000.00

Notes:

1. The Alaska Office of Boating Safety was established by Department Order in 1998, but did not meet federal grant eligibility requirements until 1999.
2. Matching funds required for the federal grant currently come from the DMV receipts received by the Program (above) and by identifying eligible state expenditures of several other state agencies.
3. FFY2012* grant amount is an estimate.



Alaska Marine Safety Education Association

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April 10, 2012

RECEIVED
APR 10 2012

Senator Bert Stedman
120th 4th Street
State Capital Rm 516
Juneau, AK. 99801-1182

Regarding: State Boating Safety Act

Dear Senator Stedman:

This letter is request your support, and sponsorship, for a Senate version of HB301-Termination of Sunset Date for the Boating Safety & Education. This legislation repeals the sunset date of the Alaska Boating Safety program which is set to terminate on July 1st of 2013. When this Act was passed in 2000, the state added two "sunset" clauses: one in case the state did not receive anticipated federal funds for this program and second to sunset the program by July 1, 2013.

For the last 12 years the state has received these federal funds as anticipated. Boating fatalities in the last five-years have dropped 22% from the previous five-year average, 22 children have been saved due to the Kids Don't Float loaner program and life jacket usage observations have seen an increase. We strongly support this very effective program for non-commercial boaters.

It is important that this legislation be passed this year and not wait till next year. The state must commit to its planned activities for a full federal fiscal year when applying for that year's federal grant. The application is due by April 1, 2013 before the sunset date takes effect, but before the end of next year's legislative session. It would put the state in a difficult position, in the application process necessary to qualify for Alaska's grant, if at the application due date, it is unknown whether or not the program will sunset mid way through that federal fiscal year.

To quote from the language of HB301 "The program's efforts have proved to significantly reduce Alaska's boating fatality rate and the sunset provisions of the Alaska Boating Safety Act should be repealed on the merit of its success". We agree with this sentiment and would encourage you to sponsor a Senate version of this bill so it can be acted on in this session and allow the program to continue seamlessly and without interruption. We hope you will support this very important, effective program.

Sincerely,

Jerry Dzugan,
Executive Director

Support Organizations Alaska Dept. of Health & Social Services, Section of Epidemiology, Division of Public Health – National Institute for Occupational Safety & Health – Southeast Alaska Regional Health Consortium – University of Alaska Sea Grant, Marine Advisory Program – U.S. Coast Guard 17th District – State of Alaska Department of Public Safety