

**2009 Regular Legislative Session**  
**FISCAL ANALYSIS OF PROPOSED LEGISLATION**  
**Prepared by the Oregon Legislative Fiscal Office**

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**MEASURE NUMBER:** HB 2220                      **STATUS:** B Engrossed  
**SUBJECT:** Check stations for inspecting watercraft for aquatic invasive species  
**GOVERNMENT UNIT AFFECTED:** Department of Fish and Wildlife, State Marine Board,  
Department of Agriculture, Judicial Department and State Police  
**PREPARED BY:** Dawn Farr  
**REVIEWED BY:** Paul Siebert and Tim Walker  
**DATE:** June 17, 2009

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	<u><b>2009-2011</b></u>	<u><b>2011-2013</b></u>
<b>EXPENDITURES:</b>		
Oregon State Marine Board – Other Funds		
Personal Services	\$ 258,000	\$ 327,000
Services and Supplies	\$ 510,000	\$ 300,000
Payments to Counties	\$ 409,000	\$ 862,000
Transfer to ODFW	\$ 956,000	\$ 1,211,000
	<u>\$ 2,133,000</u>	<u>\$ 2,700,000</u>

	<u><b>2009-2011</b></u>	<u><b>2011-2013</b></u>
<b>REVENUES:</b>		
Oregon State Marine Board – Other Funds		
Motorboat Permit Fees (180,000 biennial)	\$ 711,000	\$ 900,000
Manually Propelled Permit Fees (100,000 annual)	\$ 790,000	\$ 1,000,000
Nonresident Motorboat Permit Fees (20,000 annual)	\$ 632,000	\$ 800,000
	<u>\$ 2,133,000</u>	<u>\$ 2,700,000</u>

**POSITIONS / FTE:**  
See Analysis

**EFFECTIVE DATE:** January 1, 2010.

**LOCAL GOVERNMENT MANDATE:** This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**COMMENTS:** The bill authorizes the Department of Fish and Wildlife (ODFW), the Oregon State Marine Board (OSMB), and Department of Agriculture (ODA) to operate check stations for the purpose of inspecting for and decontaminating watercraft from invasive species; directs ODFW to report biennially to the Legislative Assembly on efforts to prevent aquatic invasive species from entering the state; and, authorizes ODFW to impose civil penalties to persons who knowing transport aquatic invasive species on or in watercraft. The bill also directs OMB to charge fees for aquatic invasive species prevention permits. The fees for the permits would be \$5 for motorboats, \$5 for manually propelled boats over ten feet in length, \$20 for nonresidents and annual fees for operators of boat liveries.

ODFW indicates that the costs associated with rulemaking to implement the civil penalty provisions of the bill and reporting requirements can be implemented with existing Other Funds resources. Revenues associated with civil penalties would be deposited with ODFW as Other Funds; however, the amount of these additional revenues is indeterminate and expected to be minimal.

The provisions of this bill will require OSMB to charge permit fees to boaters who register their boats for use on the public waterways of the state. The permit fees will be used for invasive species mitigation and will include five mobile units with two technicians each, located in each of the five ODFW regions, which will travel to various boating sites and fishing tournaments to inspect and decontaminate vessels. OSMB will need to replace their current boat registration system due to the age and inflexibility of the current registration system and the addition of a Program Analyst 3, an Accounting Technician 2, and an Information Specialist 3 to support the revenue processing and reconciliation; statewide education coordination and outreach; and the development, maintenance and support of OSMB information technology systems. In addition, the equivalent of one FTE State Trooper would be needed to support the mobile units and permit enforcement. The State Trooper would not be assigned to a mobile unit, but the increased workload would be spread out amongst all of the mobile units and multiple Troopers across the state and the FTE is the incremental increase in workload.

Currently, OSMB does not require permits for manually propelled watercraft or for motorboats from out of state. The revenue estimates for these permits is OSMB's best estimate, but the actual revenues from these classes of permits is far from certain and any shortfalls would have to be absorbed by the current resources of the agencies involved. OSMB will transfer funds to ODFW and OSP to cover their expenses. OSMB anticipates that permit revenue will start flowing during the November renewal period and the agencies affected will need to finance operations with available resources until revenues are sufficient to reimburse for those associated expenditures.

The Judicial Department anticipates that their participation in implementation of the bill will be minimal and can be absorbed with existing resources.

ODA has not provided fiscal information at this time. The Legislative Fiscal Office anticipates that the Department's participation in check stations will be limited to what might be provided with existing resources.