

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2950-04  
Bill No.: HB 1049  
Subject: Water Patrol; Department of Public Safety.  
Type: Original  
Date: February 23, 2004

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
General Revenue	(\$4,846)	\$0	\$0
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(\$4,846)</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Missouri State Water Patrol	\$3,078,494	\$3,694,193	\$3,694,193
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$3,078,494</b>	<b>\$3,694,193</b>	<b>\$3,694,193</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

ASSUMPTION

Officials from the **Office of the State Public Defender** and the **Office of Administration - Division of Accounting** each assume this proposal would not fiscally impact their respective agencies.

Officials from the **Department of Public Safety - State Water Patrol (SWP)** state the proposal would have no fiscal impact to their agency, other than the increase in fee revenue. The SWP deferred to the Department of Revenue for an estimate of the increased fee revenue.

Officials from the **Office of Administration - Budget and Planning (BAP)** state the proposal should not result in additional costs or savings to their agency. BAP states the proposal will increase total state revenue.

Officials from the **Office of the State Courts Administrator (CTS)** state the proposed legislation would increase the fees for certifying watercraft, require certain coves at the Lake of the Ozarks to be idle, no-wake coves, and create a fund for the Water Patrol from certification fees.

After a period of adjustment, CTS would anticipate substantial compliance with the no-wake

cove provisions and would not expect a fiscal impact on the courts.

ASSUMPTION (continued)

If the increased fees lead to increased water patrol activity, there may be an increase in the number of cases in some counties, but CTS does not anticipate a significant increase in costs to the judiciary

Officials from the **Office of Prosecution Services** did not respond to our request for fiscal impact.

**Oversight** assumes prosecutors could absorb the costs resulting from this proposal with existing resources.

Officials from the **Office of the State Treasurer (STO)** state they are required by this proposal to approve disbursements to the "Missouri State Water Patrol Fund." The STO states they currently do not approve disbursements, therefore, request one FTE at the level of Accounting Analyst I (at \$30,804 per year) as well as the corresponding expenses and equipment. The STO assumes a total cost of the FTE to be roughly \$47,000 per year to the General Revenue Fund.

**Oversight** assumes the STO will be able to administer the duties resulting from this proposal with existing resources.

Officials from the **Office of Secretary of State (SOS)** assume there would be costs due to additional publishing duties related to the Department of Public Safety's authority to promulgate rules, regulations, and forms. SOS estimates the division could require approximately 8 new pages of regulations in the Code of State Regulations at a cost of \$27.00 per page, and 12 new pages in the Missouri Register at a cost of \$23.00 per page. Costs due to this proposal are estimated to be \$492, however, the actual fiscal impact would be dependent upon the actual rule-making authority and may be more or less. Financial impact in subsequent fiscal years would depend entirely on the number, length, and frequency of the rules filed, amended, rescinded, or withdrawn. SOS does not anticipate the need for additional staff as a result of this proposal, however, the enactment of more than one similar proposal may, in the aggregate, necessitate additional staff.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent years.

ASSUMPTION (continued)

Officials from the **Department of Revenue (DOR)** state their Division of Motor Vehicle and Driver Licensing, Driver and Vehicle Services Bureau (DVSB) would incur costs for modifications to forms, a marine dealer mailing to notify of the increased fees, envelopes and postage in the amount of \$954.

DOR's Information Technology Bureau, states they will require 129 hours of overtime programming to modify the Uniform Field Office System (UFOS), specifically the fees for marine transactions and to modify the Missouri Transportation Accounting System for the new marine fee structure and the marine registration pull to ensure the proper fee is noted on the renewal application. Programming overtime costs are estimated to be \$3,892.

DOR states the projected increase in revenues resulting from the increase in fees is as follows;

Vessel Length Fee	Current 1/22/04	Currently Registered Amount	Current Fee Fee	Proposed Amount	New Fee
Under 16 feet	\$10	130,709	\$1,307,090	\$ 30	\$ 3,921,270
16' to 26'	\$20	188,089	\$3,761,780	\$ 60	\$11,285,340
26' to 40'	\$30	13,758	\$ 412,740	\$ 90	\$ 1,238,220
40' and over	\$40	1,492	\$ 59,680	\$120	\$ 179,040
Total amount of fees			\$5,541,290		\$16,623,870

Total amount of fee increase is \$11,082,580 (\$16,623,870 - \$5,541,290). This must be divided by three, since the vessels are renewed every three years. Therefore, the annual increase in fees resulting from this proposal would be \$3,694,193 (\$11,082,580 / 3). DOR assumes ten months of fee increase in FY 2005, or \$3,078,494. DOR assumes this is an increase to the Missouri State Water Patrol Fund.

**This proposal would increase Total State Revenues.**

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
<b>GENERAL REVENUE</b>			
<u>Costs</u> - Department of Revenue (DOR)			
Programming	(\$3,892)	\$0	\$0
Envelopes and Postage	(\$954)	<u>\$0</u>	<u>\$0</u>
Total Costs - DOR	<u>(\$4,846)</u>	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>(\$4,846)</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
 <b>MISSOURI STATE WATER PATROL FUND</b>			
<u>Income</u> - Fee increase for vessels	<u>\$3,078,494</u>	<u>\$3,694,193</u>	<u>\$3,694,193</u>
<b>ESTIMATED NET EFFECT TO THE MISSOURI STATE WATER PATROL FUND</b>	<b><u>\$3,078,494</u></b>	<b><u>\$3,694,193</u></b>	<b><u>\$3,694,193</u></b>
 <u>FISCAL IMPACT - Local Government</u>			
	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

## DESCRIPTION

Every vessel operating on the waters of the state is required to be numbered. This proposal triples the fee which is to accompany each application for a certificate of number. Two-thirds of the fee will be deposited into the Missouri State Water Patrol Fund and used exclusively for the State Water Patrol.

The proposal also allows property owners located on a cove on the Lake of the Ozarks the option of having their cove designated by the State Water Patrol as an idle speed, no wake cove. The idle speed, no wake restriction would apply to vessels 26 feet in length or longer on Fridays, Saturdays, Sundays, and holidays from the Friday preceding Memorial Day through Labor Day.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

## SOURCES OF INFORMATION

Department of Public Safety - Missouri Water Patrol  
Department of Revenue  
Office of Administration  
Office of the Secretary of State  
Office of the State Public Defender  
Office of the State Courts Administrator  
Office of the State Treasurer

**NOT RESPONDING: Office of Prosecution Services**



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Director  
February 23, 2004