

Multiple Agency Fiscal Note Summary

Bill Number: 1753 HB	Title: Derelict vessel notices
-----------------------------	---------------------------------------

Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
State Parks and Recreation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Natural Resources	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
State Parks and Recreation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Breakout

NONE

Prepared by: Lisa Borkowski, OFM	Phone: (360) 742-2239	Date Published: Final 2/13/2023
---	---------------------------------	---

Individual State Agency Fiscal Note

Bill Number: 1753 HB	Title: Derelict vessel notices	Agency: 465-State Parks and Recreation Commission
-----------------------------	---------------------------------------	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Robert Hatfield	Phone: 360-786-7117	Date: 02/07/2023
Agency Preparation: Melinda Gourley	Phone: (360) 902-8539	Date: 02/09/2023
Agency Approval: Van Church	Phone: (360) 902-8542	Date: 02/09/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 02/09/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The proposed legislation would change certain notice provisions concerning derelict vessel removal and amend RCW 79.100.040 and 79.100.120.

Section 1:

- Adds email, along with mail, as a means to provide notice of intent
- Shifts the 20 day minimum to 10 for notification to take custody of a derelict vessel
- Shifts the 30 day minimum to 15 for posted notification of the intent to take custody of a derelict vessel
- Drops the publication notice requirement to take custody of a derelict vessel

State Parks follows RCW 79.100 for gaining custody and disposing of derelict vessels. The proposed legislation would decrease time limits and publishing notifications though overall the updated provisions would have no fiscal impact to Park

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

None.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1753 HB	Title: Derelict vessel notices	Agency: 477-Department of Fish and Wildlife
-----------------------------	---------------------------------------	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Robert Hatfield	Phone: 360-786-7117	Date: 02/07/2023
Agency Preparation: David Hoeveler	Phone: 3609701638	Date: 02/08/2023
Agency Approval: David Hoeveler	Phone: 3609701638	Date: 02/08/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 02/08/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

No fiscal impact. Section 1 of the proposed legislation changes the notification and timeline taking derelict vessels into custody.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1753 HB	Title: Derelict vessel notices	Agency: 490-Department of Natural Resources
-----------------------------	---------------------------------------	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Robert Hatfield	Phone: 360-786-7117	Date: 02/07/2023
Agency Preparation: Nicole Dixon	Phone: 360-902-1155	Date: 02/09/2023
Agency Approval: Nicole Dixon	Phone: 360-902-1155	Date: 02/09/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/13/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1

(1)(a) Adds language allowing for email notices of intent to obtain custody (instead of mail) and changes the 20 day notice period to 10 days.

(1)(b) Changes notice period on the vessel from 30 days to 15 days and removes the requirement to publish intent in the newspaper.

DNR removed approximately 120 vessels and started custody of another 20 vessels during the last biennium. This biennium, DNR expects to remove over 200 vessels, and can expect to do the same next biennium. Newspaper ads cost \$100-800 depending on the county and mail notices cost approximately \$15-25 per vessel. Removal of these requirements could save DNR money, which would, in turn, fund future vessel removals within the Derelict Vessel Removal Program but would not be expected to appreciably increase the number of removals the program completes.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1753 HB

Title: Derelict vessel notices

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:
- Counties:
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option: Local governments that take seek to obtain custody of derelict vessels would have shortened pre-custody and notification of intent requirements.
- Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

None

Part III: Preparation and Approval

Fiscal Note Analyst: Jordan Laramie	Phone: 360-725-5044	Date: 02/09/2023
Leg. Committee Contact: Robert Hatfield	Phone: 360-786-7117	Date: 02/07/2023
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/09/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/13/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

This proposed legislation would amend the notice requirements to obtain custody of a vessel the under authority of the Derelict Vessels Act. The amount of time that local governments would have to post notices and inform the last registered owner, or any lienholders or secured interests on record, would be reduced by half of the time authorized by current statute.

Sec. 1 would amend 79.100.040 RCW

At least 10 days prior to taking custody of the derelict aquatic vessel, a local government must mail or email the last known address of the previous registered owner or any lienholders or secured interest on record. A notice must be posted on the vessel at least 15 days before the local government intends to take custody of the vessel.

In existing statute, the notice for custody requirement was 20 days, and the notice of intent requirement was 30 days.

Sec. 2 would amend 79.100.120

A vessel owner may contest an agency's decision to take temporary possession or custody of a vessel, or to contest the amount of reimbursement owed to an agency through an appeals process detailed in the notice of intent to obtain custody. The type of appeal and the appeal period depends on which authorized public entity takes the action.

If the contested decision or action was undertaken by a state agency or a local agency that does not have an internal appeals process, a written appeal must be filed with the Pollution Control Hearings Board. The appeal must be received no later than 15 days after the custody date.

In existing statute, this appeal must have been received no later than 30 days.

BACKGROUND:

Authorizing public entities including, metropolitan park districts, port districts, cities, towns, or counties with ownership, management, or jurisdiction over the aquatic lands where a derelict vessel is located, may remove derelict or abandoned vessels within their jurisdictions.

DNR can assist these entities in funding removal through the reimbursement of up to 90 percent of the cost of removal and disposal. The remaining 10 percent of the cost can be in the form of "in-kind" services.

Guidance and assistance to authorized public agencies is provide by the Department of Natural Resources (DNR). Authorized public entities not able to undertake the removal of a derelict vessel may ask DNR to assume the lead. DNR uses a priority methodology for the use of funds for vessels in danger of breaking up, sinking, or blocking a navigational channel, or vessels that present a risk to human health, safety or the environment.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

This proposed legislation would have no expenditure impacts on local governments because participating in the Derelict Vessel Removal Program (DVRP) is a local option.

Disposal or Removal of Derelict Vessels:

For local governments that participate in the DVRP, there may be costs associated with the removal of derelict vessels. A participating local government would send a reporting form to the DVRP to establish the vessel status, and a ranking for the priority removal of the vessel. Then the local government would send a pre-custody letter or letters, to owners or lienholders on record of the vessel, and follow the notice requirements, as amended in Sec. 1.

A local government may seek reimbursement of costs of the vessels removal or cleanup from the registered owner. However, local governments can also apply to the DVRP for up to 90 percent of the associated removal and disposal costs. The Department of Natural Resources can also take the removal and disposal lead if the local government is unable or unwilling to undertake removal.

Illustrative Example:

San Juan County details that the derelict vessel removal program is funded by a combination of the state funds, which may be up to 90 percent of costs, and an interlocal agreement between the Port of Friday Harbor, the Town of Friday Harbor and the County. These jurisdictions are responsible for the remaining 10 percent of the disposal or removal costs. San Juan County also has a derelict vessel prevention program which is designed to address vessels of concern, before these vessels become derelict. The County's prevention program is entirely funded from community donations and grants.

Appeals Process:

For local governments that participate in the DVRP, there may be costs associated with appeals of the decision to take temporary possession or custody of a vessel, or to contest the amount of reimbursement owed to an agency through an appeals process.

A vessel owner may contest an agency's decision to take temporary possession or custody of a vessel, or to contest the amount of reimbursement owed to an agency through an appeals process, which is detailed in the notice of intent to obtain custody. The type of appeal and the appeal period depends on which local government takes the action.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

This proposed legislation would have no revenue impact on local governments.

SOURCES:

Department of Natural Resources, Derelict Aquatic Vessel Program
Local Government Fiscal Note Program, FN SB 6528 (2020)
San Juan County