

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 231** HLS 19RS 777

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 25, 2019 2:24 PM	Author: PEARSON
Dept./Agy.: Natural Resources	Analyst: David Neef
Subject: Public access to running waters	

WATERWAYS/NAVIGATION OR NO IMPACT See Note Page 1 of 1
Provides for public access to the running waters of the state

Proposed law provides that no person may restrict or prohibit the public navigation of running waters which are navigable by a motorboat required to be registered or numbered pursuant to the laws of the state or the United States.

Proposed law shall not apply to running waters passing over privately owned water bottoms, where navigation has been prevented or impeded by an obstacle constructed pursuant to a coastal use permit granted by the Department of Natural Resources.

Proposed law provides exceptions for running waters during any open migratory waterfowl season, certain public or private lands, and certain maritime facilities or their surrounding areas.

Proposed law defines "running waters".

Proposed law specifies that the proposed law cannot be deemed to establish a change in ownership of the bottoms and banks of any privately owned waterway.

EXPENDITURES	2019-20	2020-21	2021-22	2022-23	2023-24	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2019-20	2020-21	2021-22	2022-23	2023-24	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
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Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

The Department of Natural Resources indicated that the implementation of this measure would not change their current permitting process. DNR processes approximately 5 permit applications for access structures on privately owned canals or waterways per year. These applications are usually given a No Direct or Significant Impact (NDSI) designation, as these activities occur in open water and do not impede the flow of water nor have an impact on aquatic resources in the coastal zone, such as: fish, wildlife, wetland plants, aquatic organisms, etc.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Staff Director