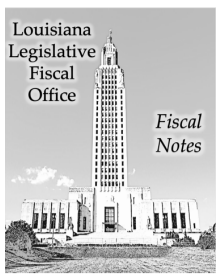


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 331** HLS 21RS 713

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 25, 2021	9:48 AM	Author: BOURRIAQUE
Dept./Agy.: State Lands		Analyst: Monique Appeaning
Subject: State Water Bottoms		

PUBLIC LANDS/STATE OR SEE FISC NOTE SG EX Page 1 of 1
(Constitutional Amendment) Authorizes the state to enter into certain agreements with landowners concerning boundaries between state claimed and privately claimed water bottoms

Proposed constitutional amendment provides exceptions for alienation of state water bottoms such as: leasing of state lands or water bottoms for mineral or other purposes; from alienating the bed if a navigable water body for the purpose of reclamation by the riparian owner to recover land lost through erosion, subsidence, or sea-level rise; from entering into specific agreements with riparian landowners to establish a permanent, fixed boundary within a body of water, regardless of its navigability and regardless of whether the body of water is a lake, river, stream, or seashore, which establishes ownership between the state and the riparian owner; from accepting any riparian landowner owned or claimed lands or water bottoms, subject to perpetual reservation of minerals, regardless of any subsequent erosion, subsidence, sea-level rise, or other similar loss of the land donated, or of the present or future navigability of the water bottom donated and an agreement or donation authorized by this legislation that provides the public with permanent right of reasonable, regulated access over an agreed portion of the water bottoms allocated to the riparian landowner. Proposed constitutional amendment provides that the state may agree to the disposition of mineral rights underlying a body of water, regardless of its navigability and regardless of whether the body of water is a lake, river, stream, or seashore, the ownership of which is subject to an agreement authorized under present law.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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>	<u>\$0</u>
Annual Total						

REVENUES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	
Annual Total						

EXPENDITURE EXPLANATION

Proposed constitutional amendment may result in an indeterminable impact on expenditures to the state. The Office of State Lands (SLO) reports that implementation costs include mineral ownership compromises, surface revenue compromises, payments in lieu of taxes to local governments, and administrative land management expenses. SLO assumes this legislation is intended to allow for the implementation of either of two proposals/pathways, but there are tremendous differences between them. One may be accompanied by a potential negative fiscal impact to the SGF, while a potential positive fiscal impact may accompany the other. The net impact on expenditures is indeterminable as future actions taken by the state and riparian landowners are speculative and cannot be forecasted.

NOTE: SLO indicated that this legislation is related to the Public Recreational Task Force under Senate Concurrent Resolution 99 of the 2018 Regular Session, which submitted its report to the legislature on January 31, 2020. The report contains several proposals/pathways forward.

REVENUE EXPLANATION

The impact of the proposed constitutional amendment on state and local revenues is unknown. The proposed constitutional amendment does not address a specific proposal/pathway outlined in the aforementioned report by the Public Recreational Task Force. Future actions taken by the state and riparian landowners are speculative and cannot be forecasted. The Legislative Fiscal Office is unable to determine the net impact to state or local revenues.

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}

Alan M. Boxberger

Alan M. Boxberger
Staff Director