

# HOUSE BILL REPORT

## SB 5442

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### As Reported by House Committee On: Appropriations

**Title:** An act relating to expanding the permitted uses of surplus funds from boater education card fees to certain boating safety programs and activities.

**Brief Description:** Concerning expanding the permitted uses of surplus funds from boater education card fees to certain boating safety programs and activities.

**Sponsors:** Senators Fortunato and Pedersen; by request of Parks and Recreation Commission.

#### Brief History:

##### Committee Activity:

Appropriations: 3/20/17, 3/23/17 [DP].

#### Brief Summary of Bill

- Expands the allowable use of the Boating Safety Education Certification Account to include any State Parks and Recreation Commission (State Parks) activity related to boating safety education.
- Allows any surplus funds from Boater Education Card fees to be used for State Parks boating safety education, rather than only for grants to local marine law enforcement programs.

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 18 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist, Cody, Fitzgibbon, Hansen, Hudgins, Jinkins, Kagi, Lytton, Pettigrew, Pollet, Sawyer, Senn, Springer, Stanford, Tharinger and Wilcox.

**Minority Report:** Do not pass. Signed by 13 members: Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys, Caldier, Condotta, Haler, Harris, Nealey, Schmick, Taylor, Vick and Volz.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Manweller.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Dan Jones (786-7118).

**Background:**

The State Parks and Recreation Commission (State Parks) provides Boater Education Cards (cards), which are required to operate a boat with 15 horsepower or greater in Washington. A card is obtained by completing an accredited boating safety education course or exam, submitting an application, and paying a \$10 application fee. A number of exemptions to the card exist, including boaters who were born before 1955, have a commercial fishing license or marine operator license, or are nonresidents with an equivalent card from another state or country.

The Boater Education Card requirement was phased in between July 1, 2005, and January 1, 2016, by including a progressively higher number of boaters over time (as determined by age).

Application fee revenue is deposited in the Boating Safety Education Certification Account, a nonappropriated account used by State Parks for the administration costs of the Boater Education Card program. Any surplus fee revenue must be distributed to local marine law enforcement programs.

In addition to authority over Boater Education Cards, State Parks has authority over boating safety education in general, such as the ability to adopt rules consistent with United States Coast Guard regulations.

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**Summary of Bill:**

The allowable use of the Boating Safety Education Certification Account is broadened to include all of the authority State Parks has over boating safety education, not just the authority specific to the cards. State Parks may use surplus card revenue for either boating safety education or local marine law enforcement grants, rather than only for the local grants. Language related to the phase-in period of the Boater Education Card, which ended on January 1, 2016, is removed.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill gives State Parks flexibility in how existing Boater Education Card fees are spent for boating safety. State Parks would continue to give grants to local marine law enforcement, as they have since 2013. The bill ensures that recreational boating remains a safe, enjoyable pastime. For example, funding could be spent on life jacket awareness. Improving boating safety is good for the economy because boaters stay on the water longer and buy more equipment and materials when they feel safe.

(Opposed) None.

**Persons Testifying:** Wade Alonzo, Washington State Parks and Recreation Commission; Tanner Hockley, Northwest Marine Trade Association; and Paul Thorpe, Recreational Boating Association of Washington.

**Persons Signed In To Testify But Not Testifying:** None.