

Department of Planning and Budget 2001 Fiscal Impact Statement

1. Bill Number SB1072

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Bolling

3. Committee Agriculture, Conservation and Natural Resources

4. Title Reporting of ballast water discharge

- 5. Summary/Purpose:** The bill would require that operators of certain commercial vessels that discharge ballast water into state waters report the discharge to the Marine Resources Commission. The reporting requirements shall not apply to any vessel of the United States Department of Defense, the United States Coast Guard, or the Armed Forces, or any vessel whose point of origin is within the United States Exclusive Economic Zone. Any operator who knowingly fails to file a discharge report, within 72 hours of the discharge or prior to the vessel's departure from Virginia's waters, or who knowingly makes any false statement in a discharge report shall be guilty of a Class 1 misdemeanor.

6. Fiscal impact estimates are:

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2000-01	\$0	0.00	NA
2001-02	\$0	0.00	NA
2002-03	\$41,399	1.00	GF

7. Budget amendment necessary: No

- 8. Fiscal implications:** According to the Virginia Port Authority, the bill is applicable to an estimated 2,600 ships per year. Duties related to the bill include sending, receiving, and tracking the forms required from the ships entering the harbors and determining whether or not ships that have discharged ballast water have submitted the required reports. The Marine Resources Commission (MRC) estimates that these responsibilities would require one full-time administrative program specialist position and related costs (salary and fringe benefits, \$32,899, start-up costs, \$3,500, and recurring other costs, \$5,000) beginning in FY 2003.. MRC and other law enforcement entities may incur additional costs related to enforcement of the Class I misdemeanor provision.

For someone convicted of a Class 1 misdemeanor, a judge has the option of sentencing him to time in jail. There is not enough information available to reliably estimate how many additional prisoners in jail could result from this legislation. Any increase in jail population would increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanant held in a jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on

a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board, the estimated total state support for local jails averaged \$30.54 per inmate, per day in FY 1999.

9. Specific agency or political subdivisions affected: Marine Resources Commission

10. Technical amendment necessary: No

11. Other comments: At this time it is unclear what the potential cost impact could be with respect to adoption of the federal guidelines (Ballast Water Management for Control of Nonindigenous Species in Waters of the United States).

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cc: Secretary of Natural Resources

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