



**National Association of State Boating Law Administrators
Policy Position on Sport Fish Restoration & Boating Trust Fund
Reauthorization**

Date: September 10, 2007

Committee: Government Affairs

Background

The Sport Fish Restoration & Boating Trust Fund (formerly Wallop-Breaux), created the user-pay, user-benefits initiative in 1984 to enhance the boating and fishing experience. Congress allocates funds generated directly by boaters through taxes on motorboat fuel and fishing tackle, along with other fees. The U.S. Coast Guard and the Department of Interior administer the funds. The Sport Fish Restoration & Boating Trust Fund provides boaters with boating safety programs such as education and law enforcement along with many other boating and fishing initiatives.

The success or failure of the state boating safety program is due in large part to the availability of the Trust Fund.

NASBLA Policy

It is critical that NASBLA, along with key boating partners, develop proposals as we enter into the next round of reauthorization negotiations. In furtherance of this goal, below are vital recommendations that NASBLA will advise Congress adopt during the next reauthorization process.

- Change the federal/state matching share from 50/50 to 75/25.
- Implement a “maintenance of effort” clause in the legislation which would require states to maintain the same state spending level. A decrease in state spending would result in an equal percentage decrease in federal funding allocation. The maintenance of effort legislation would include the following provision:
 - The spending level would be based on a three-year average.
 - The maintenance of effort could be waived by the Coast Guard for just cause.

- Increase the boating safety percentage of the fund from 18.5% to 20.5%. The change is based on equal treatment between the sport fish set-aside programs and the boating set-aside programs. At present, the sport fish set-asides are taken off the top of the fund before the percentages are applied. In FY07 these set-asides equaled approximately 2% of the entire fund. The boating safety set-aside in FY07 was approximately 8% of the boating safety fund (8% of 18.5%) or approximately 2% of the entire fund.
- Support an increase in the amount of direct funding for Coast Guard Office of Boating Safety programs as long as the increase does not lower current state funding.