

STORAGE NAME: h4353s1a.gg

DATE: April 21, 1998

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
GENERAL GOVERNMENT APPROPRIATIONS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: CS/HB 4353

RELATING TO: Wildlife

SPONSOR(S): Committee on Water and Resource Management and Rep. Littlefield

COMPANION BILL(S): SB 872 (s)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) WATER AND RESOURCE MANAGEMENT YEAS 10 NAYS 0
 - (2) GENERAL GOVERNMENT APPROPRIATIONS YEAS 10 NAYS 0
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

CS/HB 4353 provides for modifications of several of the permits in chapters 370 and 372 of Florida Statutes, including:

- ◆ repealing the \$10 for 10 days saltwater fishing license;
- ◆ repealing the lifetime sportsman's license for residents 64 years of age and older, and creating a new permanent license for those residents;
- ◆ modifying the lifetime and five-year licenses;
- ◆ revising the Florida Panther Research and Management Trust Fund language and the Florida Panther Tag language; and
- ◆ providing for payment of expenses relative to wildlife seized or taken by the Game and Fresh Water Fish Commission.

This bill will take effect upon becoming a law.

STORAGE NAME: h4353s1a.gg

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PAGE 2

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Presently, the Game and Fresh Water Fish Commission (GFC) offers a \$10 for 10 days saltwater fishing license as well as a \$12 for a 1-year license. Only 66 of the 10-day licenses were sold in FY 1995-96.

A lifetime sportsman/seniors license is available to a resident 64 years of age or older for \$12. To date, 7,410 of these licenses have been sold for a total of \$88,920. Because these monies go into an endowment fund where only the interest can be used, the GFC would like to drop the license. However, because \$8 in matching federal funds is paid per license for the first 8 years after the license is purchased, the GFC would like to establish a new permanent license for these residents. The new permanent license will still allow the GFC to keep track of how many seniors are hunting in Florida and take advantage of federal matching dollars, but will also allow the GFC to use the principle rather than just the interest on the license fees.

There is a need for a five-year hunting only license, that does not include management area and other permit privileges that increase the cost of these licenses. Existing language offers a five-year hunting license that includes all activities for which additional licenses, permits or fees are required to take game. The fee for that license is \$270. The additional permits are not used by everyone and drive up the cost of the all-in-one license. This is especially true for someone who simply wants to buy a license to hunt game such as deer with a conventional weapon. These citizens would like to have a straight \$55 five-year, hunting-only license, and they do not want to pay for services that they are unable or do not wish to use.

Sections 372.672 and 372.674, F.S., establish funding sources for environmental education projects, but do not mention the Florida Panther Research and Management Trust Fund. The fund was historically used for this purpose, but was inadvertently deleted in the 1996 legislative transfer of the Environmental Education Advisory Council to the Game and Fresh Water Fish Commission.

Currently the GFC can not recover the expenses it incurs in situations where wildlife must be seized or taken into custody by the GFC. A good example of this is the recent escape and capture of Nala, a 450-pound female lion, who escaped from JungleLand in Kissimmee's tourist corridor in central Florida. Costs to the GFC for Nola's capture were approximately \$6,000 in human resources, helicopter use, and other equipment. The lion's cage had been inspected within preceding year and had passed the inspection, however it had since been altered.

EFFECT OF PROPOSED CHANGES:

Section 1. Amends s. 370.0605, F.S., to repeal the \$10 for 10 days saltwater fishing license.

Section 2. Deletes a lifetime sportsman's license for those 64 years of age or older in s. 372.57, F.S., and creates a new permanent license for these residents. Amends s. 372.57(8)(c), F.S., to allow residents 13-64 years of age to obtain a resident lifetime

sportsman's license. Reduces to \$55 the fee for a 5-year resident hunting license by removing all of the special permits and making it a hunting only license.

Section 3. Amends s. 372.672, F.S., to allow the Florida Panther Research and Management Trust Fund to be used for environmental education programs.

Section 4. Amends s. 372.674, F.S., to allow the Florida Panther Research and Management Trust Fund to be used for environmental education programs.

Sections 5 and 6. Amend sections 372.921 and 372.922, F.S., to provide for payment of expenses relative to wildlife seized or taken by the GFC.

B. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

N/A

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

CS/HB 4353 reduces the fee for a 5-year hunting license from \$270 to \$55.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

N/A

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

- (1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

C. STATUTE(S) AFFECTED:

CS/HB 4353 amends sections 370.0605, 372.57, 372.672, 372.674, 372.921, and 372.922, F.S.

D. SECTION-BY-SECTION RESEARCH:

Section 1: Amends s. 170.0605 to repeal the \$10 for 10 days saltwater fishing license.

Section 2: Provides that there will be no exclusions, exceptions, or exemptions from fees for special use permits. Deletes a lifetime sportsman's license for those 64 years of age or older and creates a permanent hunting and fishing license for those residents. Allows for residents 13-64 years of age to obtain a resident lifetime sportsman's license. Deletes item (c) from the resident lifetime sportsman's, resident lifetime hunter, and resident lifetime freshwater fishing licenses, which excludes the once included "all activities for which an additional license, permit or fees may be required to take or attempt to take or possess game (or freshwater fish), which was imposed subsequent to the date of purchase of the license." Reduces the fee for a 5-year hunting license for a resident from \$270 to \$55. Deletes the validation stamp in s. 372.561, F.S., and places the value on the universal form instead and increases the value from \$5 to \$25.

Section 3: Amends s. 372.672, F.S., to provide that money from the Florida Panther Research and Management Trust Fund may be used to fund and administer education programs authorized in s. 372.674, F.S.

Section 4: Amends s. 372.674, F.S., to allow the Florida Panther Research and Management Trust Fund to be used for environmental education programs.

Section 5: Amends s. 372.921, F.S., to provide for payment of expenses relative to wildlife seized or taken by the GFC.

Section 6: Amends s. 372.922, F.S., to provide for payment of expenses relative to wildlife seized or taken by the GFC.

Section 7: Provides that the act shall take effect upon becoming a law.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

There could be some decrease in permit fees collected by the GFC because the fee for the five-year hunting license is decreased from \$270 to \$55. However, only 58 of the \$270 licenses were sold during 1996-97. That decrease may be offset if more of the \$55 licenses are sold.

3. Long Run Effects Other Than Normal Growth:

Indeterminate.

4. Total Revenues and Expenditures:

Indeterminate.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

CS/HB 4353 reduces the cost of a 5-year hunting license for a resident from \$270 to \$55.

3. Effects on Competition, Private Enterprise and Employment Markets:

Indeterminate.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The mandates provision is not applicable to an analysis of HB 4353 because the bill does not require cities or counties to expend funds, or to take actions which require the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the revenue raising authority of local governments.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the state tax shared with counties and municipalities.

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On March 30, 1998, members of the House Committee on Water and Resource Management unanimously approved HB 4353 as a C/S. In voting to approve CS/HB 4353, the Committee members also adopted two amendments, both offered by Representative Littlefield, to the bill. The first amendment was a strike-everything-after-the-enacting-clause amendment. It included most of the language of HB 4353, but removed the two fee-increase items, the non-resident turkey permit and the transfer of the value from the validation stamp to the universal license form. The amendment to the amendment provides for payment of expenses relative to wildlife seized or taken by the GFC.

STORAGE NAME: h4353s1a.gg

DATE: April 21, 1998

PAGE 9

VII. SIGNATURES:

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