

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 2736
 SPONSOR: Senator Lawson
 SUBJECT: Taking of Fish and Shellfish
 DATE: March 17, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Molloy</u>	<u>Kiger</u>	<u>NR</u>	<u>Favorable</u>
2.	_____	_____	<u>FT</u>	_____
3.	_____	_____	<u>AGG</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill clarifies provisions of law relating to the commercial taking of crawfish through the use of traps and increases the fee for required crawfish trap numbers from \$100 to \$125 to fund the trap retrieval program created for the purposes of retrieving lost or abandoned lobster and stone crab traps. This bill creates a nonresident 3-day freshwater fishing license at a cost of \$15, increases the price of nonresident 7-day saltwater and freshwater fishing licenses from \$15 to \$24, and increases the price of nonresident annual saltwater and freshwater fishing licenses from \$30 to \$36 per year. Nonresident hunting licenses are not affected by the provisions of the bill.

This bill substantially amends ss. 370.14, 370.143, 372.57 and 372.571, Florida Statutes.

II. Present Situation:

Commercial Crawfish Traps

Section 370.14 (2), F.S., provides that each trap used for taking or attempting to take crawfish (a/k/a spiny lobster) must have a trap number permanently attached to the trap and the buoy. This trap number is issued when the owner of the traps submits an application for a trap number to the Fish and Wildlife Conservation Commission (FWCC) and pays a \$100 fee. Fifty percent of trap number fees are deposited into the Marine Resources Conservation Trust Fund to be used to enforce statutory trap requirements through aerial and other surveillance and to retrieve lost or abandoned traps. The other fifty percent of the fees must be used to administer the spiny lobster trap certificate program, research and monitoring of the spiny lobster fishery, enforcement and public education, and to evaluate the impact of the trap reduction program on the spiny lobster fishery.

Section 370.143, F.S., authorizes the FWCC to implement a trap retrieval program for retrieval of lobster and stone crab traps remaining in the water during the closed season for each species. Trap owners are charged a retrieval fee of \$10 per trap recovered. For persons holding a stone crab endorsement, the fee for the first five traps retrieved is waived because the commercial stone crab endorsement fee is \$125, of which \$25 is used to fund the trap retrieval program (see s. 370.13, F.S.). Revenue from retrieval fees is deposited into the Marine Resources Conservation Trust Fund and used for the operation of the trap retrieval program.

Nonresident Fishing Licenses

Section 372.57, F.S., establishes the following nonresident freshwater and saltwater fishing license fees:

- Nonresident freshwater or saltwater annual license - \$30
- Nonresident freshwater or saltwater 7-day license - \$15
- Nonresident saltwater 3-day license - \$5¹

III. Effect of Proposed Changes:

Section 1. Amends s. 370.14, F.S., to provide that the fee for a commercial crawfish trap number issued by the FWCC is \$125. Provides that \$25 of the commercial crawfish trap number fee must be used solely for the purposes of retrieving lost or abandoned lobster, crawfish and stone crab traps under the FWCC's trap retrieval program. Corrects a cross-reference.

Section 2. Amends s. 370.143, F.S., to clarify that the FWCC may contract with outside agents for the operation of the trap retrieval program. Clarifies that the trap retrieval program includes the retrieval of commercial crawfish traps. Waives the \$10 per trap fee for the first five traps recovered for commercial crawfish harvesters who pay \$125 for a crawfish trap number.

Section 3. Amends s. 372.57, F.S., to create a nonresident, 3-day freshwater fishing license for a fee of \$15 (same as proposed nonresident 3-day saltwater license). Increases the fee for a nonresident 7-day saltwater or freshwater fishing license from \$15 to \$24, and increases the fee for a nonresident annual saltwater or freshwater fishing license from \$30 to \$36.

Section 4. Amends s. 372.571, F.S., to correct a cross-reference.

Section 5. Provides that the act will take effect July 1, 2004.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

¹ The Game & Fresh Water Fish Commission's nonresident 3-day, \$5 freshwater fishing license was repealed at the request of the agency in 1999. See s. 14 of ch. 99-353, L.O.F.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

This bill proposes to increase fees for nonresident saltwater and freshwater fishing licenses, and proposes to create a new nonresident 3-day \$5 freshwater fishing license.

B. Private Sector Impact:

Nonresidents will pay more for saltwater and freshwater fishing licenses.

C. Government Sector Impact:

Nonresident Fishing Licenses	Current Price	Proposed Price	FY 02-03 Total Revenue	FY 04-05 Revenue Increase/ Decrease	FY 05-06 Revenue Increase/ Decrease
3-day, freshwater	-0-	\$15	-0-	\$1,474,358	\$1,520,115
3-day saltwater	\$5	\$15	\$1,191,595	\$1,875,187	\$1,915,667
7-day freshwater & saltwater	\$15	\$24	\$2,043,450	(\$110,961)	(\$43,020)
Annual freshwater & saltwater	\$30	\$36	\$6,634,343	\$97,062	\$111,824

Crawfish Fees

According to the FWCC, the additional \$25 fee for crawfish trap numbers will generate approximately \$36,250 per year based on crawfish trap numbers issued in 2003-2004. This will provide a stable revenue source for the trap retrieval program.

According to the FWCC, approximately 1,450 commercial crawfish harvesters fish with trap gear. However, the additional \$25 cost could save \$50 in trap retrieval fees when the \$10 per trap retrieval fee is waived for the first five recovered traps.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
