

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.)

Prepared By: Government Efficiency Appropriations Committee

BILL: CS/SB 1610

SPONSOR: Government Efficiency Appropriations Committee and Senator Atwater

SUBJECT: Recreational Licenses and Permits

DATE: April 21, 2005 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Branning</u>	<u>Kiger</u>	<u>EP</u>	Favorable
2.	<u>Keating</u>	<u>Johansen</u>	<u>GE</u>	Fav/CS
3.	_____	_____	<u>GA</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill creates the annual military gold sportsman’s license for \$18.50. The military gold sportsman’s license covers all hunting and freshwater and saltwater fishing licenses, including activities authorized by a management area, muzzle-loading gun, turkey, Florida waterfowl, archery, snook, and crawfish permit, for any resident who is an active or retired member of the U.S. Armed Forces, the U.S. Reserve Forces, the Florida National Guard, the U.S. Coast Guard, or the U.S. Coast Guard Reserve.

This bill amends ss. 372.57(4), F.S.; 372.5712(1), 372.5715(1), 372.573, and 372.661(2), F.S.

II. Present Situation:

Section 372.002, F.S., provides that the Legislature recognizes that hunting, fishing, and the taking of game are a valued part of the cultural heritage of Florida and should be forever preserved for Floridians. Further, the Legislature intends that the citizens of Florida have a right to hunt, fish, and take game, subject to the regulations and restrictions prescribed by general law and by s. 9, Art. IV, State Constitution.

Section 372.57, F.S., generally prohibits the taking of game, freshwater or saltwater fish, or fur-bearing animals in this state without first obtaining a license, permit, or authorization number and paying the fees provided for in ch. 372, F.S. Annual resident hunting and fishing licenses fees are: freshwater fishing license - \$12; saltwater fishing license - \$12; hunting license - \$11; management area permit - \$25; muzzle-loading gun permit - \$5; Florida wild turkey permit - \$5; Florida waterfowl permit - \$3; archery permit - \$5; snook permit – \$2; and crawfish permit - \$2. Saltwater fishing license fees and permit fees are deposited into the Marine Resources Conservation Trust Fund of the Fish and Wildlife Conservation Commission (FWC). Freshwater fishing and hunting license fees are deposited into the State Game Trust Fund of the FWC.

There are sections of chapter 372, F.S., which direct the FWC to expend revenues generated from certain permit fees, including the pro rata portion of any license that includes waterfowl hunting privileges,¹ turkey hunting privileges,² and management area privileges.³ Section 372.661(2), F.S., provides for a \$500 commercial hunting preserve license, which exempts patrons of licensed preserves from certain license and permit requirements.

According to the FWC, a *license* allows the bearer to hunt or fish, subject to the terms and conditions of the particular license.⁴ A *permit* expands the authority of a license to include authorization to hunt or fish a particular species, or engage in recreational activities in certain areas.⁵ Licenses and permits may be purchased at the FWC, any local tax collector, or any approved subagent. Also, licenses and permits may be purchased on the internet or by calling a toll-free number. The fees for licenses and permits are set by statute. Additional processing fees are also authorized, portions of which are retained by the local tax collectors. Surcharges apply for licenses purchased over the internet or by calling the toll-free number.

Section 372.562, F.S., provides for exemptions from the hunting and fishing license provisions for certain persons. One such exemption is for any resident who is a member of the U.S. Armed Forces and not stationed in this state, when home on leave for 30 days or less, upon submission of orders.

The State of Florida receives revenues in the form of grants from the Federal Aid in Sport Fish Restoration Program and the Wildlife Restoration Program, based on the number of fishing licenses and hunting licenses sold to Florida residents. Revenues to the fund are derived from excise taxes ranging from 3 percent to 10 percent on various types of hunting and fishing equipment.

III. Effect of Proposed Changes:

Section 1 amends s. 372.57(4), F.S., creating the annual military gold sportsman's license for \$18.50. The military gold sportsman's license covers all hunting and freshwater and saltwater fishing licenses, including activities authorized by a management area permit, a muzzle-loading gun permit, a Florida wild turkey permit, a Florida waterfowl permit, an archery permit, a snook permit, and a crawfish permit. Any resident who is an active or retired member of the U.S. Armed Forces, the U.S. Reserve Forces, the Florida National Guard, the U.S. Coast Guard, or the U.S. Coast Guard Reserve is eligible to purchase the military gold sportsman's license upon submission of a current military identification card.

Section 2 amends s. 372.5712(1), F.S., to include the military gold sportsman's license under the pro rata portion of Florida waterfowl permit fees.

Section 3 amends s. 372.5715(1), F.S., to include the military gold sportsman's license under the pro rata portion of Florida wild turkey permit fees.

¹ Section 372.5712(1), F.S.

² Section 372.5715(1), F.S.

³ Section 372.573, F.S.

⁴ <http://myfwc.com/license/>

⁵ Id.

Section 4 amends s. 372.573, F.S., to include the military gold sportsman's license under the pro rata portion of management area permit fees.

Section 5 amends s. 372.661(2), F.S., to include the military gold sportsman's license under the pro rata portion of commercial hunting preserve license fees.

Section 6 provides that the bill shall take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

The Revenue Estimating Impact Conference has not analyzed the committee substitute nor has the FWC had an opportunity to analyze the committee substitute. If the same number of eligible Florida military personnel who would have purchased hunting, trapping, freshwater and saltwater fishing licenses and other permits purchase the military gold sportsman's license, it should result in a decrease of license revenues. The estimated fiscal impact is indeterminate at this time.

B. Private Sector Impact:

Members of the Armed Forces, National Guard, or Coast Guard who are residents of Florida may purchase a military gold sportsman's license for \$18.00 in lieu of purchasing a number of individual hunting and fishing licenses.

C. Government Sector Impact:

Revenues allocated to the Marine Resources Conservation Trust Fund and the State Game Trust Fund will most likely be decreased as a result of this bill. The exact effect on the operating budget of the Fish and Wildlife Conservation Commission is unknown at this time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

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

VIII. Summary of Amendments:

None.

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