

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 5081      PCB ENRC 08-17      Trust Funds of the Fish and Wildlife Conservation

Commission

**SPONSOR(S):** Environment & Natural Resources Council; Mayfield

**TIED BILLS:** **IDEN./SIM. BILLS:**

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DIRECTOR	REFERENCE	ACTION	ANALYST	STAFF
	Orig. Comm.: Environment & Natural Resources Council	12 Y, 0 N	Bellflower	Dixon / Hamby
	1) Policy & Budget Council	27 Y, 8 N	Davila	Hansen
	2) _____	_____	_____	_____
	3) _____	_____	_____	_____
	4) _____	_____	_____	_____
	5) _____	_____	_____	_____

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### SUMMARY ANALYSIS

HB 5081 provides for an annual transfer of \$2 million from the Marine Resources Conservation Trust Fund and for an annual transfer of \$210,000 from the State Game trust Fund, within the Fish and Wildlife Conservation Commission, to the General Revenue Fund. The annual transfer from these trust funds to the General Revenue Fund expires on July 1, 2013.

This bill has a positive fiscal impact of \$2.2 million to the General Revenue Fund and a negative fiscal impact to the Marine Resources Conservation Trust Fund and the State Game Trust Fund.

The effective date of this legislation is July 1, 2008.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation

Chapters 370 and 372, F.S., provide the Fish and Wildlife Conservation Commission (FWCC) the statutory authority to exercise the regulatory and executive powers of the state with respect to wild animal life, fresh water aquatic life, marine life, and their habitat.

Section 370.0603, F.S., establishes the Marine Resources Conservation Trust Fund (MRCTF) for the purposes of funding: marine research; fishery enhancement; marine law enforcement; administration of licensing programs for recreational fishing, saltwater products sales, and related information and education activities; operations of the FWCC; titling and registration of vessels; marine turtle protection, research, and recovery activities; activities for rehabilitation of oyster harvesting areas; boating research, boating-related programs and activities; and for law enforcement on state waters.

Proceeds to be deposited into the MRCTF include, but are not limited to, commercial and recreational saltwater fishing license fees, vessel registration fees, fines, and penalties assessed for violations of saltwater fishing provisions, and fees for special saltwater permits.

Section 372.09, F.S., establishes the purposes for which the funds in the State Game Trust Fund (SGTF) may be used. Proceeds to be deposited into the SGTF include the funds resulting from the operation of the FWCC and from the administration of the laws and regulations pertaining to birds, game, fur-bearing animals, freshwater fish, reptiles, and amphibians.

##### Effect of Proposed Changes

This bill will transfer, each year, the first \$2 million deposited into the Marine Resources Conservation Trust Fund and the first \$210,000 deposited into the State Game Trust Fund, into the General Revenue Fund. These funds will be transmitted in equal monthly payments until the total is received in the General Revenue Fund.

This bill includes a provision that terminates the annual transfer from the aforementioned trust funds to the General Revenue Fund on July 1, 2013.

#### C. SECTION DIRECTORY:

Section 1: amends s. 370.0603 F.S., to annually transfer a portion of revenues from the Marine Resources Conservation Trust Fund to the General Revenue Fund.

Section 2: amends s. 372.09 F.S., to annually transfer a portion of revenues from the State Game Trust Fund to the General Revenue Fund.

Section 3: provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

This bill provides an annual transfer of \$2 million from the Marine Resources Conservation Trust Fund and \$210,000 from the State Game Trust Fund, to the General Revenue Fund. It has a positive impact on General Revenue, and a negative impact on above mentioned trust funds.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

None.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### D. STATEMENT OF THE SPONSOR

## IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES