

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/HB 1271 Fish and Wildlife Conservation Commission
SPONSOR(S): Agriculture & Natural Resources Policy Committee, Frishe
TIED BILLS: **IDEN./SIM. BILLS:** SB 2150

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Agriculture & Natural Resources Policy Committee</u>	<u>14 Y, 0 N, As CS</u>	<u>Deslatte</u>	<u>Reese</u>
2) <u>General Government Policy Council</u>	<u>16 Y, 0 N</u>	<u>Deslatte</u>	<u>Hamby</u>
3) <u>Natural Resources Appropriations Committee</u>	<u>9 Y, 0 N, As CS</u>	<u>Lachat</u>	<u>Lachat</u>
4) <u>Full Appropriations Council on General Government & Health Care</u>		<u>Lachat</u>	<u>Leznoff</u>
5) _____	_____	_____	_____

SUMMARY ANALYSIS

The bill provides that applications for any license for recreational activities issued through the Florida Fish and Wildlife Conservation Commission (FWCC) under part VI of chapter 379, F.S., must include a check-off provision that permits the applicant for licensure to make a voluntary contribution of \$2, with the proceeds distributed quarterly to Southeastern Guide Dogs, Inc., located in Palmetto, FL. Southeastern Guide Dogs, Inc., shall use the contributions to breed, raise, and train guide dogs for the blind, including in-residence training for persons who are provided guide dogs by Southeastern Guide Dogs, Inc.

Approximately \$44,950 may be generated annually. For every \$2 donation collected, FWCC is contractually obligated to pay a \$0.90 fee to contracted license vendors. The cost to FWCC is approximately \$20,227 annually in additional vendor fees. The amount passed to Southeastern Guide Dogs, Inc., will be approximately \$24,723 annually.

The bill takes effect July 1, 2009.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Recreation Licenses

Pursuant to s. 379.352 (13), F.S., FWCC may collect donations for enhancing youth hunting and fishing programs. The most common amount donated is \$5. According to the FWCC analysis, approximately 19% of customers opted to donate to youth hunting and fishing programs at the time they purchased a recreational license in 2007-08. All donations are deposited into the State Game Trust Fund.

FWCC collected \$100,233 in youth hunting and fishing donations in 2007-08. For 2008-09 the trend shows collections decreasing by about 10%.

FWCC sells recreational licenses through an outsourced vendor. FWCC pays the vendor \$0.90 per item (license, permit type) sold. For youth hunting and fishing related donations, the vendor has waved the \$0.90 fee.

Southeastern Guide Dogs, Inc.

Southeastern Guide Dogs, Inc., (School) is a 501 (c) (3) nonprofit organization located in Palmetto, Florida. The School has provided guide dogs for the visually impaired since 1982. Its stated mission is to "create and nurture a partnership between a visually impaired individual and a guide dog, facilitating life's journey with mobility, independence and dignity." Southeastern Guide Dogs, Inc., currently has more than 800 active guide dog teams across the country and creates more than 70 new guide dog teams annually. According to the School's webpage, it provides all its services - including Paws for Independence, Paws for Patriots, and Gifted Canines - free of charge. Financial support for the School is provided primarily by private contributions; foundation grants; donations from civic organizations and businesses. The School also reports receiving the assistance of more than 600 volunteers. Southeastern Guide Dogs, Inc., is accredited by the International Guide Dog Federation in Reading, England and is a member of the Council of U.S. Dog Guide Schools. The School is one of only 10 fully certified guide dogs school in the country.¹

Southeastern Guide Dogs, Inc., operates its own breeding colony, with more than 100 breeder dogs. The School breeds Labradors, Golden Retrievers, Goldadors (Labrador/Golden Retriever mix), Smooth-Coat Collies, Australian Shepherds and Hungarian Vizslas. After weaning, puppies are placed with volunteer puppy raiser families where they learn house manners, basic obedience and social skills.

¹ <http://www.guidedogs.org/index.php?page=about-us>

At 14 to 20 months of age, the dogs return to the school for intensive harness training that lasts between 6 and 8 months. Following successful training, the dogs and visually impaired students are paired together as new teams, spending 26 days of on-site training. The School offers follow up programs through its Graduate Services division, including home visits and consultations via telephone and email, all aimed at keeping our graduate teams on track and on task with maximum results.²

Effect of Proposed Changes

The bill provides that applications for any license for recreational activities issued under part VI of chapter 379, F.S., must include a check-off provision that permits the applicant for licensure to make a voluntary contribution of \$2, the proceeds of which shall be distributed quarterly by the FWCC to Southeastern Guide Dogs, Inc., located in Palmetto, FL. Southeastern Guide Dogs, Inc. shall use the contributions to breed, raise, and train guide dogs for the blind, including in-residence training for persons who are provided guide dogs by Southeastern Guide Dogs, Inc.

B. SECTION DIRECTORY:

Section 1. Requires the applications for all recreational activity licenses to include a provision for the license applicant to make a voluntary contribution to Southeastern Guide Dogs, Inc.; providing for the use of funds raised by such contributions.

Section 2. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

According to FWCC, approximately \$44,950 may be generated annually. Of this amount, \$24,723 may be passed to Southeastern Guide Dogs, Inc. and \$20,227 may be deposited to the FWCC (State Game Trust Fund).

2. Expenditures:

For every \$2 donation collected, FWCC is contractually obligated to pay a \$0.90 fee to the contracted license vendor. The cost to FWCC may be approximately \$20,227 annually in additional vendor fees. The agency has adequate budget authority in the proposed FY 2009-2010 General Appropriations Act to implement the provisions of this bill.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Clerks at retail locations that sell recreational hunting and fishing licenses would inform the customer of the guide dog check-off option when selling the license. Collecting the additional dollar may entail some minimal cost for training.

D. FISCAL COMMENTS:

FWCC provided the following comments:

² Ibid.

Unless the recreational hunting and fishing license vendor waives the transaction fee for the collection of guide dog donations, it will cost FWCC approximately \$20,227 to collect and distribute \$24,723 to the recipient due to implementation of changes on its computerized licensing system.

While the license vendor did waive the transaction fee for the youth hunting and fishing donations, it was in the vendor's long term best interest since a major goal of the youth hunting and fishing program donation is to create life-long hunters and anglers. When the vendor waived the fee for the youth hunting and fishing donations, the vendor indicated that they would not do so for any other donations in the future.

The July 1 effective date would be difficult for the vendor to complete the necessary programming and training. We would suggest an October 1 effective date.

FWCC has indicated that it has adequate budget authority to implement the provisions of this bill in the proposed FY 2009-2010 General Appropriations Act.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

On March 24, 2009, the Agriculture & Natural Resources Policy Committee amended and passed HB 1271 favorably as a Committee Substitute.

The amendment raises the voluntary contribution to Southeastern Guide Dogs, Inc., from \$1 to \$2.

On April 13, 2009, the Natural Resources Appropriations Committee amended and passed HB 1271 favorably as a Committee Substitute.

The amendment authorizes the Fish and Wildlife Conservation Commission to retain \$.90 of the \$2 dollar contribution of each donation to cover the per transaction fee of the vendor who sells all of Florida's hunting and fishing licenses. The amendment also specifies that the donations will be used for "Paws to Patriots," a program of Southeastern Guide Dogs, Inc., that trains guide dogs for veterans.