

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 323 Fish and Wildlife Conservation Commission Trust Funds

SPONSOR(S): Drake

TIED BILLS: **IDEN./SIM. BILLS:** SB 524

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture & Natural Resources Appropriations Subcommittee	12 Y, 0 N	White	Pigott
2) Appropriations Committee	27 Y, 0 N	White	Pridgeon

SUMMARY ANALYSIS

Trust Fund Investments

The Fish and Wildlife Conservation Commission (FWC) invests unobligated cash balances in its agency trust funds and earns interest on these investments. FWC does not currently have explicit authority in statute that authorizes the investing of funds in its trust funds.

The bill authorizes FWC to invest and reinvest funds in the following trust funds:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Marine Resources Conservation Trust Fund
- Nongame Wildlife Trust Fund
- Save the Manatee Trust Fund
- State Game Trust Fund

Administrative Costs

FWC has an Administrative Trust Fund that it uses to pay for administrative costs that impacts all program areas of the Commission. The Administrative Trust Fund is funded from a cost allocation plan assessed to its other trust funds for their fair share of administrative costs. Some of FWC's trust funds do not have clear authority in statute to spend funds on administrative costs.

The bill authorizes FWC to pay for administrative costs out of the following trust funds:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Save the Manatee Trust Fund

Fiscal Impact

The bill may have a positive fiscal impact on state government.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Trust Fund Investments

The Fish and Wildlife Conservation Commission (FWC) operates from 13 trust funds and currently invests proceeds and cash balances from those funds.¹ FWC discovered the following trust funds do not have explicit authority in statute for funds to be invested:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Marine Resources Conservation Trust Fund
- Nongame Wildlife Trust Fund
- Save the Manatee Trust Fund
- State Game Trust Fund

Administrative Costs

FWC has an Administrative Trust Fund that it uses for administrative costs in the Executive Direction and Administrative Support Services program. These costs support all program areas of FWC. The Administrative Trust Fund is funded by a cost allocation plan assessed on FWC trust funds to pay each fund's fair share of administrative costs. FWC discovered that the following trust funds do not have clear authority in statute to pay for administrative costs:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Save the Manatee Trust Fund

Effect of the Bill

The bill authorizes FWC to invest and reinvest funds in the following trust funds:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Marine Resources Conservation Trust Fund
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- Save the Manatee Trust Fund
- State Game Trust Fund

The bill authorizes FWC to pay for administrative costs from the following trust funds:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Save the Manatee Trust Fund

¹ FWC 2021 Agency Bill Analysis on HB 323 (January 22, 2021) on file with the House Agriculture & Natural Resources Appropriations Subcommittee.

B. SECTION DIRECTORY:

- Section 1.** Amends s. 379.205, F.S., relating to the Florida Panther Research and Management Trust Fund.
- Section 2.** Amends s. 379.208, F.S., relating to the Marine Resources Conservation Trust Fund.
- Section 3.** Amends s. 379.209, F.S., relating to the Nongame Wildlife Trust Fund.
- Section 4.** Amends s. 379.211, F.S., relating to the State Game Trust Fund.
- Section 5.** Amends s. 379.213, F.S., relating to the Save the Manatee Trust Fund.
- Section 6.** Amends s. 320.08058, F.S., relating to specialty license plates.
- Section 7.** Amends s. 379.214, F.S., relating to the Invasive Plant Control Trust Fund.
- Section 8.** Provides an effective date of July 1, 2021.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill may have a positive fiscal impact on state government by allowing FWC to continue to earn revenues by investing and reinvesting funds in its trust funds.

2. Expenditures:

The bill may have a positive fiscal impact on state government by allowing FWC to continue using its trust funds to pay for administrative costs.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES