

STORAGE NAME: h0467z.wrm

DATE: June 17, 1999

****FINAL ACTION****

****SEE FINAL ACTION STATUS SECTION****

**HOUSE OF REPRESENTATIVES
AS FURTHER REVISED BY THE COMMITTEE ON
WATER & RESOURCE MANAGEMENT
FINAL ANALYSIS**

BILL #: HB 467, 1st Engrossed

RELATING TO: Hunting and Fishing

SPONSOR(S): Rep. Sembler

COMPANION BILL(S): CS/SB 1384 (s), CS/HB 2067 (c)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) WATER & RESOURCE MANAGEMENT YEAS 7 NAYS 0
- (2) COMMUNITY AFFAIRS (W/D)
- (3) FINANCE AND TAXATION YEAS 12 NAYS 0
- (4) GENERAL GOVERNMENT APPROPRIATIONS YEAS 10 NAYS 0
- (5)

I. FINAL ACTION STATUS:

On April 21, 1999, the House passed HB 467 by a vote of 113-4. After being sent to the Senate, the bill was referred to and died in the Senate Natural Resources Committee. The Senate companion, CS/SB 1384, died on the Senate Calendar. Provisions of HB 467 relating to the repeal of a 3-day, \$5, nonresidential freshwater fishing license were included in the CS/HB 2067 which passed the Legislature on April 30, 1999, and was ordered engrossed and enrolled. The Governor signed CS/HB 2067 on June 11, 1999, and it was designated chapter 99-353, Laws of Florida.

II. SUMMARY:

HB 467, 1st Engrossed, amends subsection (2) of section 372.57, Florida Statutes, 1998 Supplement, to repeal a \$5, 3-day, nonresident freshwater fishing license issued by the Game & Fresh Water Fish Commission. The bill further provides that the fees for all hunting and fishing licenses and permits shall be reviewed by the Legislature every 5 years, beginning with the year 2000 legislative session.

HB 467, 1st Engrossed, would have taken effect on July 1, 1999.

III. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Fees for hunting and fishing licenses are regulated under ch. 372, F.S. The current annual fee for a resident hunting permit is \$11, and the current annual fee for a resident freshwater fishing license is \$12. Section 372.57(2), F. S. provides license and permit fees for residents and non-residents of the state for noncommercial fishing, for hunting, and for trapping, including a \$5, 3-day, non-resident freshwater fishing license.

B. EFFECT OF PROPOSED CHANGES:

HB 467, 1st Engrossed, would:

- Repeal the \$5, 3-day, nonresident freshwater fishing license.
- Require that the Legislature review fees for all hunting and fishing licenses issued under Chapter 372, F.S., every 5 years beginning with the 2000 Regular Session of the Legislature.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

None.

(2) what is the cost of such responsibility at the new level/agency?

None.

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

No.

- b. Does the bill require or authorize an increase in any fees?

Yes, indirectly. HB 467 has the effect of increasing fees for nonresidents who want to freshwater fish in Florida by eliminating the \$5, 3-day fishing license and requiring the purchase of a 7-day license at a cost of \$15.

- c. Does the bill reduce total taxes, both rates and revenues?

Indeterminate. More revenue may be generated by possible sales of the 7-day, \$15 nonresident freshwater fishing license.

- d. Does the bill reduce total fees, both rates and revenues?

No.

- e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Amends subsection (2) of s. 372.57, and creates s. 372.5711, F.S.

E. SECTION-BY-SECTION ANALYSIS:

Section 1: Amends subsection (2) of s. 372.57, F.S., 1998 Supplement, to repeal the \$5, 3-day, nonresident freshwater fishing license established in s. 372.57(2), F.S.

Section 2: Creates s. 372.5711, F.S. and provides that the Legislature review the fees for all licenses and permits issued under Chapter 372, F.S., and the exemptions thereto, every 5 years, beginning with the year 2000 Regular Session of the Legislature.

Section 3: Provides an effective date of July 1, 1999.

IV. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

GFC estimates of revenues raised by increased sales of a \$15, 7-day nonresidential freshwater fishing license are based on the loss of the same revenues at the time the \$5, 3-day license was implemented. Statistics indicate that in 1995-1996, the GFC sold 82,559 7-day licenses for total sales of \$1,223,385. During the 1997-1998 year, statistics indicate that only 25,232 persons purchased the 7-day license.

The first full year of implementation of the \$5, 3-day license was the 1997-1998 fiscal year. A total of 77,003 persons purchased the license for a total of \$385,015 in revenue. GFC is assuming that 56,327 of those persons who would have purchased a 7-day license at \$15 as indicated by the statistics listed above, purchased a 3-day license instead. Now that the 3-day option is not available, the assumption is that those 56,327 will again purchase the 7-day license, generating an additional \$560,327 in revenue.

3. Long Run Effects Other Than Normal Growth:

Indeterminate at this time.

4. Total Revenues and Expenditures:

See A.2. above.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

Nonresidents must purchase 7-day fishing licenses at a cost of \$15 compared to the 3-day, \$5 fishing license.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

V. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require cities or counties to expend funds, or to take actions requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill will not reduce the revenue-raising authority of counties or municipalities.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill will not reduce the percentage of state tax revenue shared with counties or municipalities.

VI. COMMENTS:

VII. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

As filed, HB 467 repealed existing hunting and freshwater fishing license fee exemptions for certain totally and permanently disabled Florida residents. As drafted, the language in the bill was overly broad and created a tremendous fiscal impact. On February 17, 1999, the Committee on Water and Resource Management unanimously adopted one strike-everything amendment to HB 467 to remove the expansion and maintain current disability exemptions for freshwater fishing licenses and for hunting permits. As amended, HB 467 repealed the \$5, 3-day, nonresident freshwater fishing license, and provided that the Legislature would review the fees for licenses and permits authorized in Chapter 372, Florida Statutes, beginning with the year 2000 Regular Session of the Legislature.

The amendment was not incorporated into HB 467 and traveled with the bill to the Floor for hearing by the House. The amendment was adopted with a Floor vote of 113-4.

VIII. SIGNATURES:

COMMITTEE ON WATER & RESOURCE MANAGEMENT:

Prepared by:

Staff Director:

Karon A. Molloy

Joyce Pugh

AS FURTHER REVISED BY THE COMMITTEE ON FINANCE AND TAXATION:

Prepared by:

Staff Director:

George T. Levesque

Alan Johansen

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AS FURTHER REVISED BY THE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS:
Prepared by: Staff Director:

Juliette Noble

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FINAL ANALYSIS PREPARED BY THE COMMITTEE ON WATER & RESOURCE MANAGEMENT:
Prepared by: Staff Director:

Karon A. Molloy

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