

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB PBC 07C-05 ENRC FWCC
SPONSOR(S): Policy & Budget Council
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Policy & Budget Council		Dixon\Davila	Hansen
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

PCB PBC 07C-05 deletes the statutory requirement for the Legislature to annually appropriate to the Fish and Wildlife Conservation Commission (FWC) General Revenue funds at or above levels appropriated in fiscal year 1988-89 for specified programs and activities.

This bill shall take effect upon becoming a law.

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

Fish and Wildlife Conservation Commission (FWC)

Section 370.063, F.S., provides for the Marine Resources Conservation Trust Fund (MRCTF) and establishes the purposes for which the fund may be used. Proceeds to be deposited into the MRCTF include 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 372.57, F.S., establishes fees for licenses and permits related to recreational hunting and freshwater and saltwater fishing licenses for residents and nonresidents, and provides the conditions under which a license for hunting or fishing is not required. This section also establishes the fees for management area permits and recreational user fees for lands leased by the FWC for hunting and fishing, special permits for hunting turkey, and authority for the FWCC to designate free fishing days.

Except as provided in ss. 372.105 and 372.106, F.S., s. 372.5701, F.S., requires all saltwater fishing license and permit fees collected under s.372.57, F.S., to be deposited into the MRCTF, and specifies the purposes for which such fees may be used, including:

- Not more than 7.5 percent of the total fees collected shall be used for administration of the licensing program and for information and education.
- Not less than 30 percent of the total fees collected shall be used for law enforcement.
- Not less than 32.5 percent of the total fees collected shall be used for marine research and management.
- Not less than 30 percent of the total fees collected, for fishery enhancement, including, but not limited to, fishery statistics development, artificial reefs, and fish hatcheries.

The section requires the Legislature to annually appropriate to the FWC, from the General Revenue Fund for the activities and programs specified above, at least the same amount of money as was appropriated to the Department of Environmental Protection from the General Revenue Fund for such activities and programs for fiscal year 1988-1989. The section further provides that the amounts appropriated to the FWC for such activities and programs from the MRCTF shall be in addition to the amount appropriated to the FWC for such activities and programs from the General Revenue Fund. The section also provides that the proceeds from recreational saltwater fishing license fees paid by fishers shall only be appropriated to the FWC.

Effect of Proposed Changes

This bill deletes the requirement for the Legislature to annually appropriate to the FWC General Revenue funds at or above levels appropriated in fiscal year 1988-89 for specified programs and activities.

C. SECTION DIRECTORY:

Section 1. Amends s. 372.5701, F.S., to remove the requirement prohibiting the Legislature from appropriating General Revenue funds below those levels appropriated in fiscal year 1988-89 for specified programs and activities.

Section 2. Provides an effective date of the bill becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

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:

The bill deletes the requirement that the Legislature annually appropriate to the FWC General Revenue funds at or above levels appropriated in fiscal year 1988-89 for specified programs and activities.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

N/A.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

None.