

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB ANRAS 13-04 Fish & Wildlife Conservation Commission
SPONSOR(S): Agriculture & Natural Resources Appropriations Subcommittee; Broxson
TIED BILLS: **IDEN./SIM. BILLS:**

| REFERENCE | ACTION | ANALYST | STAFF DIRECTOR or BUDGET/POLICY CHIEF |
|---|-----------|------------|--|
| Orig. Comm.: Agriculture & Natural Resources Appropriations Subcommittee | 12 Y, 0 N | Massengale | Massengale |

SUMMARY ANALYSIS

In chapter 2008-106, Laws of Florida, the Legislature mandated that on July 1, 2013, and every 5 years thereafter, vessel registration fees (s. 328.72(1)(b), F.S.) and recreational hunting and fishing licenses fees (s. 379.354(1)(b), F.S.) be adjusted by the percentage change in the Consumer Price Index (CPI) for all Urban Consumers since the fees were last adjusted unless otherwise provided by general law. In addition, by February 1 of each year in which the adjustment is scheduled to occur, the Fish and Wildlife Conservation Commission (FWC) is required to submit a report to the President of the Senate and the Speaker of the House of Representatives describing how the increases will be used within the agency.

In the February 1, 2013 report, the FWC recommended the following:

- Postpone the current 2013 implementation date until 2015;
- Modify the adjustment language to specify legislative intent for calculating the new fee and consider a 5-year limit on the amount of the adjustment to prevent too large a change for fees that have not had a recent update;
- Allow for rounding to the nearest 50 cents;
- Include a provision to automatically update the fee amounts in their respective sections of substantive law; and
- Specify whether or not the vessel registration adjustment includes any change to the county portion of the fee.

The bill deletes subsections 328.72(1)(b) and 379.354(1)(b), Florida Statutes, eliminating the CPI adjustments to vessel registration fees and recreational hunting and fishing license fees, respectively, that would have taken effect July 1, 2013, and deletes the report to the Legislature describing how the increased revenues would be used within the agency.

There is no fiscal impact on local government. There will be a significant negative fiscal impact to the state from the loss of the approximate \$6.8 million in fee revenue in Fiscal Year 2013-2014. However, the appropriations supported by the trust funds are not expected to substantially increase and the status of the trust funds appear adequate to meet the commission's needs. Boat owners and resident and nonresident purchasers of recreational hunting and fishing licenses will not receive an increase in their vessel registration fees and license fees, respectively.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

In chapter 2008-106, Laws of Florida, the Legislature mandated that on July 1, 2013, and every 5 years thereafter, vessel registration fees¹ and recreational hunting and fishing licenses fees² be adjusted by the percentage change in the Consumer Price Index (CPI) for all Urban Consumers since the fees were last adjusted unless otherwise provided by general law. In addition, by February 1 of each year in which the adjustment is scheduled to occur, the Fish and Wildlife Conservation Commission (FWC) is required to submit a report to the President of the Senate and the Speaker of the House of Representatives describing how the increases will be used within the agency.

Based on general guidance from the Office of Economic and Demographic Research, FWC calculates the following fee changes that will take effect on July 1, 2013.³

| Fee Title | Date of Last Fee Increase | Current Annual Fee* | CPI Adjustment | New Fee |
|--|---------------------------|---------------------|----------------|----------|
| VESSEL REGISTRATIONS | | | | |
| Class A-1—Less than 12 feet in length & all canoes to which propulsion motors have been attached | 07/01/2008 | \$5.50 | \$0.61 | \$6.11 |
| Class A-2—12 feet or more & less than 16 feet in length | 07/01/2008 | \$16.25 | \$1.79 | \$18.04 |
| Class 1—16 feet or more & less than 26 feet in length | 07/01/2008 | \$28.75 | \$3.17 | \$31.92 |
| Class 2—26 feet or more & less than 40 feet in length | 07/01/2008 | \$78.25 | \$8.63 | \$86.88 |
| Class 3—40 feet or more & less than 65 feet in length | 07/01/2008 | \$127.75 | \$14.10 | \$141.85 |
| Class 4—65 feet or more & less than 110 feet in length | 07/01/2008 | \$152.75 | \$16.86 | \$169.61 |
| Class 5—110 feet or more in length | 07/01/2008 | \$189.75 | \$20.94 | \$210.69 |
| Dealer registration certificate | 07/01/2008 | \$25.50 | \$2.81 | \$28.31 |
| RESIDENT HUNTING & FISHING LICENSES | | | | |
| Annual freshwater fishing license | 10/01/2007 | \$15.50 | \$2.20 | \$17.70 |
| Annual saltwater fishing license | 10/01/2007 | \$15.50 | \$2.20 | \$17.70 |
| Annual hunting license to take game | 10/01/2007 | \$15.50 | \$2.20 | \$17.70 |
| Annual combination hunting & freshwater fishing license | 10/01/2007 | \$31.00 | \$4.40 | \$35.40 |
| Annual combination freshwater & saltwater fishing license | 10/01/2007 | \$31.00 | \$4.40 | \$35.40 |
| Annual combination hunting, freshwater fishing & saltwater fishing license | 10/01/2007 | \$46.50 | \$6.60 | \$53.10 |
| Annual sportsman's license | 10/01/2007 | \$79.00 | \$11.22 | \$90.22 |
| Annual sportsman's license for a resident 64 years of age and older | 07/01/1998 | \$12.00 | \$5.21 | \$17.21 |
| Annual gold sportsman's license | 10/01/2007 | \$98.50 | \$13.98 | \$112.48 |
| Annual military gold sportsman's license | 05/24/2005 | \$18.50 | \$4.05 | \$22.55 |
| NONRESIDENT HUNTING & FISHING LICENSES | | | | |
| Freshwater fishing license for 3 consecutive days | 10/01/2007 | \$15.50 | \$2.20 | \$17.70 |
| Freshwater fishing license for 7 consecutive days | 10/01/2007 | \$28.50 | \$4.05 | \$32.55 |
| Saltwater fishing license for 3 consecutive days | 10/01/2007 | \$15.50 | \$2.20 | \$17.70 |
| Saltwater fishing license for 7 consecutive days | 10/01/2007 | \$28.50 | \$4.05 | \$32.55 |
| Annual freshwater fishing license | 10/01/2007 | \$45.50 | \$6.46 | \$51.96 |
| Annual saltwater fishing license | 10/01/2007 | \$45.50 | \$6.46 | \$51.96 |
| Hunting license to take game for 10 consecutive days | 10/01/2007 | \$45.00 | \$6.39 | \$51.39 |
| Annual hunting license to take game | 07/01/1989 | \$150.00 | \$141.31 | \$291.31 |
| TRAPPING LICENSE | | | | |
| Annual license to take fur-bearing animals | 07/01/1966 | \$25.00 | \$157.72 | \$182.72 |

*These are base statutory fees, and do not include any additive administrative fees that apply.

The FWC calculates state revenues will increase by \$6.8 million in Fiscal Year 2013-14 based on the scheduled fee increases.⁴

¹ Section 328.72(1)(b), F.S.

² Section 379.354(1)(b), F.S.

³ Fish and Wildlife Conservation Commission, *Report on Use of Increased Fees within the Fish and Wildlife Conservation Commission* (February 1, 2013).

⁴ Id.

| | |
|-----------------------------|--------------------|
| Vessel Registration | \$2,343,606 |
| Hunting Licenses | \$659,216 |
| Freshwater Fishing Licenses | \$1,046,757 |
| Saltwater Fishing Licenses | <u>\$2,723,652</u> |
| | <u>\$6,773,231</u> |

The FWC commissioners met in December and developed the following recommendations:⁵

- Postpone the current 2013 implementation date until 2015;
- Modify the adjustment language to specify legislative intent for calculating the new fee and consider a 5-year limit on the amount of the adjustment to prevent too large a change for fees that have not had a recent update;
- Allow for rounding to the nearest 50 cents;
- Include a provision to automatically update the fee amounts in their respective sections of substantive law; and
- Specify whether or not the vessel registration adjustment includes any change to the county portion of the fee.

Effect of Proposed Changes

The bill deletes subsections 328.72(1)(b) and 379.354(1)(b), Florida Statutes, eliminating the CPI adjustments to vessel registration fees and recreational hunting and fishing license fees, respectively, that would have taken effect July 1, 2013, and the report to the Legislature describing how the increased revenues would be used within the agency.

B. SECTION DIRECTORY:

Section 1. Amends s. 328.72, F.S., deleting periodic CPI adjustments to vessel registration fees.

Section 2. Amends s. 379.354, F.S., deleting periodic CPI adjustments to recreational hunting and fishing license fees.

Section 3. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

State trust funds will not receive approximately \$6.6 million in revenue from increased vessel registration and recreational hunting and fishing license fees. However, the appropriations supported by the trust funds are not expected to substantially increase and the status of the trust funds appear adequate to meet the commission's needs.

The General Revenue Fund will lose approximately \$187,000 based on the service charge on trust fund revenue.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

⁵ Id.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Boat owners who are required to register their boats will not receive an increase in the registration fees. Resident and nonresident purchasers of recreational hunting and fishing licenses will not receive an increase in their license fees.

D. FISCAL COMMENTS:

The projected vessel registration revenue is based on the December 7, 2012, Highway Safety Licenses and Fees Revenue Estimating Conference. The license fee revenue increases were calculated using projected unit sales, modified by a possible consumer reaction to not buy a license after a fee increase (protest effect), and multiplied by the fee increase.⁶

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

⁶ Ibid.