

BILL ANALYSIS

C.S.H.B. 2940
By: Hilderbran
Culture, Recreation, & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

This bill seeks to reorganize the Department Game Bird Stamps from three to two. The White-winged Dove Stamp and Waterfowl Stamp would be combined into a Migratory Game Bird Stamp for \$7, a net saving to some sportsmen of \$7 over the \$14 cost of the two stamps. All migratory game birds would be covered in this stamp.

The \$5 Turkey Stamp would be eliminated in favor of an Upland Game Bird Stamp for \$7 that covers that covers all resident game birds, such as turkeys, quail, pheasants and several others.

The new configuration would provide seed funding for priority work for more species and currently covered by the existing stamps, and would help the Department improve its ability to measure hunter participation and harvest of a number of these species.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Parks and Wildlife Commission in SECTION 1 of this bill.

ANALYSIS

Sec 43.651. Provides definitions and species covered by this bill.

Sec. 43.652. Establishes requirement to possess the stamps, before hunting game birds covered, and provides means for the Commission to exempt people and classes from the requirement.

Sec. 43.653. Affirms other license requirements needed in addition to these stamps.

Sec. 43.654. Establishes initial fees, designs and royalties as well as certain Commission authorities and period of validity.

Sec. 43.655. Establishes the Migratory Game Bird Stamp Fund and that net proceeds from the sale of stamps, royalties, and interest earned will be placed in a special account within Fund 9.

Sec. 43. 656. Establishes that funds may be used for management, research, habitat acquisition and leasing, habitat development, and contracts and donations in concert with conservation partners; limits expenditures on salaries and overhead costs of Department employees; and guides fund allocation.

Sec. 43.657. Establishes the Upland Game Bird Stamp Fund and that the net proceeds from the sale of stamps, royalties, and interest earned will be placed in a special account within Fund 9.

Sec. 43.658. Establishes uses of the fund for management, research, habitat acquisition and leasing and development; limits expenditures on salaries and overhead costs for Department employees; and guides fund allocation.

Sec. 43.659. Establishes a means for the Department to form partnerships to work with other government entities and conservation organizations via authority to make contracts, donations and grants for migratory game birds conservation relevant to Texas.

Sec. 43.660. Establishes requirement to show proof of proper licensing to a game warden or peace officer.

Sec. 43.661. Establishes reciprocal licensing agreement authority with neighboring states.

Sec. 43.662, 43.663, & 43.664. Requires that any funds remaining in the three existing stamp funds must be budgeted for their original purposes, if this legislation is enacted, with a deadline of September 1, 2009 before any remaining funds would be rolled into the new funds.

Sec. 43.665. Establishes penalties for violations.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the game bird definitions section to reflect the definitions already in the code. The disposition of stamp funds from the General Revenue Fund has also been changed to a protected sub-account in the Game Fish and Water Safety Account (Fund 9). This substitute additionally amends the White-wing Stamp Fund to be spent on all hunted dove species in order to make funds available for the bigger issues relating to mourning doves that are now being dealt with. Hunters most often buy the White-winged dove stamp because they are dove hunters who want to be legal if they encounter white-wings, so this should not present a problem to dove hunters. The substitute further expands the authority to develop granting opportunities for both the Upland and Migratory stamps to foster partnerships and to leverage these funds with other partner dollars. Finally, the substitute removes the limitations on spending no more than one-third of the funds on salaries of Texas Parks and Wildlife Department employees engaged in this species related work. No other license or stamp statute has the limitation, and this modification will allow more flexibility, with oversight by the Texas Parks and Wildlife Commission.