

BILL ANALYSIS

S.B. 1668
By: Averitt
Culture, Recreation, & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Federal Aid in Sport Fish Restoration Act, commonly called the Dingell-Johnson Act, requires a state to pass state legislation statutorily restricting recreational fishing license revenue to operational expenses of the state fish and wildlife agency. In order to track compliance, it is necessary to account for federally restricted revenue separately from revenue that is not federally restricted. Furthermore, under current law, combination hunting and fishing licenses are authorized to be issued by the Texas Parks and Wildlife Department (TPWD) and are required to be sold for less than the combined cost of the licenses when sold separately. TPWD currently uses a methodology to allocate the revenue from the combination licenses to accounts. This methodology has been approved by the Texas Parks and Wildlife Commission (commission) for several years. Of further importance, the federal government has initiated a plan to sell the federal duck stamp electronically and action needs to be taken by this state to institute this plan.

As proposed, S.B. 1668 deletes the existing requirement for the revenue from the individual bait shrimp license to be deposited into the Shrimp License Buyback Account to allow TPWD to track federally restricted revenue separately from revenue which is not federally restricted. This bill also provides the commission with the explicit ability to establish revenue allocation methodology for these combination licenses. Lastly, this bill authorizes TPWD to issue the Federal Duck Stamp through their license point-of-sale system.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 12.703(a), Parks and Wildlife Code, to authorize the Parks and Wildlife Department (TPWD) to issue a license, stamp, tag, permit, or another similar item authorized by the Parks and Wildlife Code or federal law through the use of automated equipment and a point-of-sale system.

SECTION 2. Amends Section 50.001, Parks and Wildlife Code, by adding Subsection (d), as follows:

(d) Requires the Parks and Wildlife Commission (commission), notwithstanding Section 43.204 (Stamp Sale Receipts), Section 43.405 (Collection Fees), and Section 43.805 (Disposition of Stamp Fees), to allocate net revenue to individual stamp funds from the sale of stamps that are included in a combination license package according to a methodology the commission establishes. Requires the methodology to incorporate the proportionate discounted price of each stamp, the estimated utilization of each stamp, or a combination of these methods.

SECTION 3. Amends Section 77.120(c), Parks and Wildlife Code, to delete existing text requiring TPWD to increase by 15 percent, but not by an amount that exceeds \$25, the fee for a shrimp house operator license issued under Section 77.042 and an individual bait-shrimp trawl license issued under Section 77.048 (Individual Bait-Shrimp Trawl License) and deposit the amount of the increase to the credit of the shrimp license buyback account.

SECTION 4. Effective date: September 1, 2007.

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EFFECTIVE DATE

September 1, 2007.