

SUBJECT: Establishing commercial license buyback subaccount in TPWD

COMMITTEE: Culture, Recreation and Tourism — committee substitute recommended

VOTE: 6 ayes — Frullo, Faircloth, Fallon, Gervin-Hawkins, Krause, Martinez
0 nays
1 absent — D. Bonnen

WITNESSES: For — Shane Bonnot, CCA Texas; (*Registered, but did not testify*: David Sinclair, Game Warden Peace Officers Association; Cyrus Reed, Lone Star Chapter Sierra Club; John Shepperd, Texas Foundation for Conservation; Elizabeth Doyel, Texas League of Conservation Voters, Buddy Treybig; Tracy Woody)

Against — None

On — (*Registered, but did not testify*: Robin Riechers, Texas Parks and Wildlife Department)

BACKGROUND: Parks and Wildlife Code, sec. 77.120 establishes the shrimp license buyback account as a separate account in the general revenue fund.

Parks and Wildlife Code, sec. 47.081 governs the finfish license buyback program and sec. 78.111 governs the crab license buyback program.

Some have called for these separate license buyback programs and accounts to be consolidated under one account in order to provide the Texas Parks and Wildlife Department more flexibility in managing the state's overall fishing industry.

DIGEST: *The author intends to offer a complete floor substitute in lieu of CSHB 1724. The floor substitute is summarized in the Digest below.*

CSHB 1724 would merge the shrimp license buyback account and the

crab and finfish buyback programs into a new account called the commercial license buyback subaccount, within the game, fish, and water safety account.

The Texas Parks and Wildlife Department (TPWD) would deposit into the commercial license buyback subaccount:

- at least 20 percent of fees from issuing or transferring finfish licenses, which currently is set aside under the finfish license buyback program;
- at least 20 percent of fees from commercial crab licenses, which currently is set aside under the commercial crab license buyback program;
- revenue collected on commercial bay or bait shrimp boat license transfers;
- \$25 of each issued wholesale fish dealer's license;
- \$25 of each issued wholesale truck dealer's fish license;
- \$6 of each issued retail fish dealer's license;
- \$11 of each issued retail dealer's truck license;
- \$25 of each issued commercial bay shrimp boat license;
- \$25 of each issued commercial bait-shrimp boat license;
- \$25 of each issued commercial gulf shrimp boat license;
- \$15 of each issued bait-shrimp dealer's license; and
- revenue from any other source authorized by law.

TPWD could accept grants and donations from public or private sources to support the commercial license buyback subaccount. Money in the subaccount could be used only to buy back a license from a willing commercial license holder, and the subaccount would not be subject to Government Code, sec. 403.095 regarding the use of dedicated revenue.

The shrimp license buyback account would be abolished on September, 1, 2017, and the unencumbered balance of the account would be deposited in the commercial license buyback subaccount.

The bill would take effect September, 1, 2017.

NOTES:

The floor substitute differs from the committee substitute in several ways.

The committee substitute would have created a commercial license buyback account as a separate account in the general revenue fund and deposited various licensing fees into the new account, which also would have included the balance of the shrimp license buyback account abolished by the bill.

The floor substitute instead would direct all funds identified the bill to the new commercial license buyback subaccount account within the game, fish, and water safety account, including the balance of the shrimp license buyback account, which it also would abolish.