

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 3166 - SB 3449

February 27, 2012

SUMMARY OF BILL: Authorizes any individual licensed as a commercial fisher to employ any commercial helper without regard to the commercial helper's residence. Requires the fee paid by an individual for a commercial helper's license not exceed the fee paid by a commercial fisher's license. Limits any suspension or revocation to any commercial fisher or musseler, having multiple violations in regards to fishing under the definition of a commercial fisher or musseler without appropriate licensure, to be no longer than a six-month period. Authorizes any nonresident, which resides in a state that does not permit the sale of nonresident licenses to residents of Tennessee, to purchase a commercial helper license in Tennessee. Entitles any commercial fisher or commercial roe fisher who has timely filed for a license renewal within a two-year period to obtain the renewal of a commercial fisher or roe fisher license. Prohibits any suspension or revocation period of any commercial fisher or commercial roe fisher license from being greater than a year from the date of such suspension or revocation.

ESTIMATED FISCAL IMPACT:

**Increase State Revenue – \$2,500/One-Time/Wildlife Resources Fund
\$1,000/Recurring/Wildlife Resources Fund**

Assumptions:

- The current fee for a commercial helper license is equal to that fee paid by a commercial fisher; therefore, requiring that the fee of a commercial helper not exceed that of the commercial fisher will not result in any fiscal impact.
- Currently, any nonresident residing in a state which does not allow the sale of a nonresident license to residents of Tennessee are not permitted to engage in commercial fishing or commercial musseling within Tennessee. This bill would allow a commercial fisher to employ any commercial helper, regardless of the helper's residence.
- According to the Tennessee Wildlife Resources Agency (TWRA), there has been no nonresident commercial helper licenses issued.
- A nonresident commercial helper's license costs \$1,000 annually.
- It is estimated that allowing nonresidents from such states to attain a nonresident commercial helper's license will result in a permit issued to one licensee per year, subsequently resulting in a recurring increase in state revenue of \$1,000.
- A one-year revocation or suspension limit would apply only to commercial fishing or commercial roe fishing licenses.

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- Pursuant to Tenn. Code Ann. § 70-2-101(d)(2), any revocation or suspension period of such fishing licenses is fixed by the court and must be for a period of at least one year.
- In the majority of cases, such suspensions or revocations are limited to less than two years.
- According to the TWRA, there would be no fiscal impact associated with limiting the amount of time a revocation or suspension is enforced. Therefore, any permit revenue associated with a commercial fisher or commercial roe fisher renewing a license would be recognized in the same year as it is currently collected.
- According to TWRA, amending Tenn. Code Ann. § 7-2-205 to allow commercial fishing or commercial roe fishing licensees to renew commercial fishing licenses would only affect one non-resident commercial fisher.
- The permit fee for a non-resident commercial fisher is \$1,000 and \$1,500 for a commercial roe fishing license.
- Assuming the individual would have been allowed to renew such license in less than a two-year period, allowing the commercial fisher to renew such commercial fishing license will result in a one-time increase of state revenue of \$2,500.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

/jdb