

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 665 - HB 1328

April 8, 2019

**SUMMARY OF ORIGINAL BILL:** Limits the fee that the Tennessee Fish and Wildlife Commission (TFWC) may charge to that of a commercial fisherman license in regards to licenses for non-commercial rental of non-motorized vessels. Authorizes the TFWC to implement a parking pass system, which may include a reasonable fee for each outfitter based on the number of vehicles or trailers in use by an outfitter. Establishes that the abovementioned fees are the only permissible fees that the TFWC may assess in regards to regulation of commercial operations that lease or rent non-motorized vessels for non-commercial use.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (006762):** Deletes all language after the enacting clause. Requires that the information on the number and type of non-motorized vessels leased each day be submitted under seal and used only by the TFWC and the Tennessee Wildlife Resources Agency (TWRA) in the aggregate in their agency reports and records. Requires each outfitter submit a report on May 1, October 1, and December 1, of each year, and the report shall cover activity since the previous report. Permits the TFWC to assess fees on commercial outfitters only by rule, and no such rule may take effect before July 1, 2021. Permits the TFWC to implement a multiple-year permit system in consideration of the business history of long-term commercial outfitters. Creates the Commercial Paddle Craft Advisory Committee. Establishes that the Committee members will serve as volunteers and will not be paid or reimbursed for time served. Exempts commercial operations permitted by either the Department of Environment and Conservation or the United States Forest Service from the regulatory authority of TFWC.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Public Chapter 969 of the Public Acts of 2018 authorized the TFWC to establish rules, regulations, permits, and procedures regulating to all aspects of commercial operations

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that lease or rent non-motorized vessels for non-commercial use by the public on the waters of Tennessee.

- According to the TWRA, the TFWC adopted rules in regard to fees assigned to these outfitters of non-motorized non-commercial vessels in January 2019. Such rules are currently on hold pursuant to the Governor's 90-day moratorium on filing new rules with the Secretary of State. The adopted rules did not include any fees.
- It is assumed the TWFC has not collected any fees since the effective date for Public Chapter 969, which was July 1, 2018.
- Therefore, it is assumed that prohibiting any fees from taking effect before July 1, 2021, will not significantly impact fee revenue deposited into the Wildlife Resources Fund (WRF).
- The Commercial Paddle Craft Advisory Committee members will not receive any compensation or reimbursement for their service on the Committee; therefore, any increase in state expenditures from the WRF will be not significant.
- Provisions pertaining to information received from commercial outfitters and the required reports will not significantly impact policies or procedures of the TWRA.

#### **CERTIFICATION:**

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



Krista Lee Carsner, Executive Director

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