

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: SB1086

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Miller, J.C.

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: **Nonresident harvester's license**

5. Summary: The bill increases the fee for nonresident commercial harvester's licenses required by the Marine Resources Commission (MRC) for those fishing in tidal waters and by the Department of Game and Inland Fisheries for those fishing in Back Bay to \$850. The formula for allocating the proceeds of the license sales by MRC between funds is changed from the current procedure.

6. Fiscal Impact Estimates: Preliminary. See item 8.

6b. Revenue Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2009		
2010	\$48,720	nongeneral fund
2011	\$48,720	nongeneral fund
2012	\$48,720	nongeneral fund
2013	\$48,720	nongeneral fund
2014	\$48,720	nongeneral fund
2015	\$48,720	nongeneral fund

7. Budget Amendment Necessary: No. The additional revenue may be appropriated administratively.

8. Fiscal Implications: According to the Marine Resources Commission, 120 noncommercial harvester licenses are issued annually. The current license fee is \$444, of which \$350 is paid into the Marine Products Fund and \$94 supports the Marine Fishing Improvement Fund. The license fee generates annual revenue of approximately \$102,000.

Under the provisions of the bill, the license fee will increase to \$850. The bill provides that \$500 is to be deposited to the Marine Products Fund (for an increase in revenue of \$18,000) and \$350 is to be deposited to the Marine Fishing Improvement Fund (for a revenue increase of \$30,720). The total revenue increase is \$48,720. These estimates assume that the number of license holders will not decrease as a result of the price increase.

The Marine Products Fund supports the Virginia Marine Products Board, funded through the Department of Agriculture and Consumer Services. The Marine Fishing Improvement Fund

is dedicated to managing and improving fisheries, stock assessment and reporting, seafood product promotion, education, conservation management, and public information. The fund is administered by the Marine Resources Commission.

The Department of Game and Inland Fisheries states that the department has not issued any permits for nonresident harvesters in the Back Bay and its tributaries for the past four years.

The bill includes the existing stipulation that violation of the provisions is a Class 1 misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2008), the estimated state support for local jails averaged \$28.77 per inmate, per day in FY 2007.

9. Specific Agency or Political Subdivisions Affected: Marine Resources Commission, Department of Game and Inland Fisheries, Department of Agriculture and Consumer Services, Virginia Marine Products Board, judicial system.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

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cc: Secretary of Natural Resources
Secretary of Agriculture and Consumer Services