

Florida Fish and Wildlife Conservation Commission

Minutes of the Commission Meeting

July 14-15, 2005

Tallahassee

A regular meeting of the Florida Fish and Wildlife Conservation Commission was held in the auditorium of the Farris Bryant Building, Tallahassee, July 14-15, 2005, and called to order at 8:30 a.m., by Chairman Herky Huffman with the following members in attendance:

Mr. David K. Meehan, St. Petersburg

Mr. Rodney Barreto, Miami

Mr. Brian S. Yablonski, Tallahassee

Ms. Kathy Barco, Jacksonville

Staff

Mr. Kenneth D. Haddad

Executive Director

Mr. Victor J. Heller

Assistant Executive Director

Mr. James V. Antista

General Counsel

Colonel Julie L. Jones

Director, Division of Law Enforcement

Mr. Nick Wiley

Director, Division of Hunting and Game Management

Mr. Timothy Breault

Director, Division of Habitat and Species Conservation

Mr. Darrell Scovell

Director, Division of Freshwater Fisheries Management

Mr. Mark S. Robson

Director, Division of Marine Fisheries Management

Mr. Gil McRae

Director, Fish and Wildlife Research Institute

Ms. Jacqueline Fauls

Director, Legislative Affairs Office

Ms. Sandra L. Wilson

Director, Finance and Budget Office

Ms. Mary Ann Poole

Director, Policy and Stakeholder Coordination Office

Mr. Scott C. Ball

Acting Director, Community Relations Office

Mr. Gregory L. Holder*

Director, Southwest Region

Mr. Rolando J. Garcia*

Director, North Central Region

Lt. Col. Louie S. Roberson*

Director, Northwest Region

Mr. Dennis N. David*

Director, Northeast Region

*via video conferencing

Commissioners Kaupe and Corbett were unable to attend this meeting due to prior commitments.

Seven persons registered as guests/speakers for the two-day meeting.

Mr. Vic Heller gave the invocation. Commissioner Barreto led the assembly in the Pledge of Allegiance to the Flag.

Mr. Heller asked for a modification to the agenda to present the staff reports prior to the financial business plan discussion and action.

Upon motion of Commissioner Barreto, seconded and carried, the agenda was modified and accepted.

Staff Reports and Financial Business Plan

Mr. Heller explained that the presentation would contain an overview of FWC financial condition, including actions to reduce the budget; review of division responsibilities and funding; a recap of Financial Business Plan progress and next steps; and business plan results and options. He stated that staff is seeking Commission direction on a future financial strategy from the following options:

- A. Reduce—Cut both the budget and current programs.
- B. Live within our means—Maintain current funding sources, reduce services and programs as necessary.
- C. Status quo—Develop funding needed to maintain the current level of services only.
- D. Enhancements—Provide current service levels with some enhancement of existing programs.
- E. Move forward—Add new programs wanted by stakeholders with recommendations on new funding.

Before continuing, Mr. Haddad introduced and welcomed Attorney General Charlie Crist to the meeting.

Mr. Crist expressed his gratitude to the Commissioners for their important work for the state's fish and wildlife resources.

Ms. Sandy Wilson, Director of Finance and Budget, presented the financial report as of May 31, 2005, which included projected fund activities, projected fund balances, revenue sources and fund uses for the fiscal years 03-04, 04-05, 05-06, 06-07, and 07-08, for the Marine Resources Conservation Trust Fund (MRCTF), State Game Trust Fund (SGTF), Nongame Wildlife Trust Fund (NWTF), Florida Panther Research and Management Trust Fund (FPRMTF), Save the Manatee Trust Fund (SMTF), Conservation and Recreation Lands Program Trust Fund (CARLTF), and the Land Acquisition Trust Fund (LATF).

Commissioner Barco asked for an explanation of the "sweeping" of documentary stamp funds.

Ms. Wilson responded that for 06-07 there is \$27 million in the SGTF that could be swept (used for nonrecurring General Revenue [GR] or other State need) or it could be appropriated to either FWC Land Management or Lake Restoration. She explained that the documentary funds are separated on paper from other trust fund revenue to more clearly indicate what the remainder of the trust fund presents without inclusion of doc stamp funding.

Chairman Huffman asked for an explanation of the annual fund sweeps, commenting that following many years of securing funding and permits for the Lake

Jesup restoration project, because the money was not used with a specific timeframe, it was swept for another use. He pointed out that if the lake were restored, more fishing licenses would be sold adding to agency revenue.

Ms. Wilson stated that in the new budget, staff is requesting \$4.5 million in doc stamp money for lake restoration, which may be applied to the Lake Jesup project. Hopefully, additional doc stamp money will be allocated in succeeding years to complete the project.

Commissioner Yablonski explained that the sweeps and caps are a Legislative policy decision that are not specific to FWC but occur with all state trust funds.

Ms. Wilson added that doc stamp revenue is exceeding its initial predictions, which is why the caps have been set. Anything above that cap is directed to GR. However, the Legislature can decide if the excess funding should go to lake restoration or other more pressing state needs.

Mr. Haddad explained that the \$14 million for the Lake Jesup restoration was high and could not be used in a year; however, the agency may request GR funding to complete the project if necessary.

During discussions on the LATF, Commissioner Barco asked that staff provide her information on the Mitigation Park program, e.g., acres of land purchased and location.

Ms. Wilson summarized the trust fund presentation, stating only one of the agency's trust funds is financially solid, two are stable for the short term only, and four are facing imminent or near-future deficits without some remedial action. Ms. Wilson stated that all agency revenue-generating car tags are being redesigned and reviewed for marketing plans. Hopefully, the boating safety grant increase will help for the short-term. However, staff knows revenues are declining or not keeping pace with rising costs and the grant infusion simply postpones an inevitable shortfall. Choices are to eventually reduce spending or find a way to augment revenue.

The agency has taken some significant cuts since the inception of the FWC in an effort to live within the means of agency trust funds, and some have been the agency's share of participating in statewide GR reductions due to reduced state revenues or competing state needs.

Ms. Wilson continued with a budget reductions history, including cash sweeps and fund shifts for fiscal years 99-00 through 05-06. In summary, Program Reductions have caused a net loss of 37.75 positions and \$12,631,834; Excess Appropriation \$5,607,350; Fund Shifts \$3,703,320, and Cash Sweeps of \$11,635,384; for a loss of \$33,577,878 and 37.75 positions.

Ms. Wilson stated that staff continues to look for efficiencies and improvements in agency operations while continuing to provide services while costs of services increase. Efficiencies include: (1) Redistributed part of the land management workload; (2) Redistributed some lake enhancement workload; and (3) Redistributed freshwater fisheries duties to create an exotic species coordination

section to address increases censuses on introduced species. Additionally, the agency has reduced site visits and inspections for private landowner requests for assistance with grass carp stocking and provided Internet permitting sites for these requests; increased staff partnering efforts with federal government and the private sector to help develop conservation objectives; placed antlerless deer permit applications for private lands on line; contracted with Archbold for management of the Lake Placid Tract of Lake Wales Ridge; automated the recreational license issuance system through a contract vendor; outsourced the grant portion of the sea turtle program; closed the South Florida Law Enforcement Shop and reallocated seven positions to different responsibilities to streamline marine maintenance operations; and solicited for an outside vendor to maintain and perform the boat ramp and waterway marker repairs and installation. Additionally, the Division of Law Enforcement intends to streamline aircraft from 18 to 11.

Financial Overview of Program Areas

>>Division of Marine Fisheries Management—Mr. Mark Robson presented the division's financial overview. The division has a total annual appropriation of \$3,964,787 and 26 positions divided among the Director's Office, Marine Fisheries Service Section and Marine Fisheries Management Section. Two percent of its budget is GR. The remaining 98% is funding from the Marine Resources Conservation TF, which includes Recreational Licenses (40%), Commercial Licenses (29%), and Federal Grants (29%). Mr. Robson also provided a funding source overview.

>>Division of Freshwater Fisheries—Mr. Darrell Scovell presented the division's financial overview. The division's annual total operating budget is \$4,463,000, with 69.5 positions within the Director's office, and the Freshwater Fish Management Section and Hatchery Operations and Stocking Section. One percent of the division's budget is GR. The remaining funding is divided as follows: Fishing Licenses and Permits (33%), Doc Stamps (5%), Bass Tag Revenue (12%), Federal Grants (21%), and Marina Fuel Tax (21%). Mr. Scovell also provided a funding source overview.

Commissioner Barreto asked Mr. Scovell to forward to the Commissioners a list of where the agency is stocking fish and the numbers of fish being stocked.

Chairman Huffman asked the number of permits issued to commercial freshwater fishermen.

Mr. Scovell replied there are approximately 1,000 \$25-permits issued annually, and the agency will soon initiate a trip ticket system for commercial freshwater fisheries.

Commissioner Barreto asked if Florida should begin registrations for all boats used in Florida waters.

Mr. Haddad advised that he had received a letter from Marine Industries Association of Florida stating its belief that Florida Statutes require all vessels be registered with the state and asked his opinion. Because vessel registrations are

the responsibility of the Department of Highway Safety and Motor Vehicles, the letter was forwarded to Mr. Dickinson for his opinion.

>>Division of Hunting and Game Management—Mr. Nick Wiley presented the division's financial overview. The division's annual total operating budget is \$5,331,125, with of 44 positions among the Director's office, Hunter Safety, Public Hunting Areas, and Game Species Management sections. This division receives no GR and is supported by Hunting License/Permits (41%), Federal Grants (27%), Alligator License/Permits (18%), Documentary Stamps (11%), and other sources (3%). Mr. Wiley also provided a funding source overview.

Chairman Huffman asked Mr. Wiley to explain revenue received from leasing of hunting lands from the private sector, and whether or not the agency has lost money due to the pull-out of private land from the wildlife management area system.

Mr. Wiley pointed out that the agency began the User Pay Program, which retains private hunting lands for the public while providing more revenue to the landowner; however, approximately two-thirds of private lands once available for public hunting are now privately leased lands.

Commissioner Meehan suggested the agency consider enactment of legislation that would offer an "Alligator Tag" to provide funding for the resource.

Commissioner Barreto asked if the public alligator hunts are popular and providing sufficient revenue. He asked staff to provide him with the number of alligator permits available last year, pointing out that Florida has a burgeoning alligator population.

Mr. Wiley responded that permits remained following last year's hunts, therefore, staff is developing a marketing strategy to increase hunter interest. Regarding nuisance alligators, a statewide, toll-free number has been established for alligator complaint calls.

>>Division of Law Enforcement—Colonel Julie Jones presented the division's financial overview. The division's annual total operating budget is \$92,872,259, with 902.5 positions. Forty-nine percent of the division's budget is GR. The remaining funding is provided through the MRCTF (27%), SGTf (9.5%) Grants (9%), CARLTF (3%), FPRMTF (2%), STMTF (.5%) and NGTF (.1%). Colonel Jones also provided a funding source overview.

Commissioner Meehan asked if Homeland Security funding has been appropriated to the agency.

Colonel Jones responded that two years ago the House and Senate Domestic Security committees identified \$900,000 as an appropriate GR request for the agency to fund the patrols at Florida ports. The Governor's office asked for homeland security patrols during the 2005 Super Bowl. A portion of the funds was also used for patrols during the Organization of American States conference. Although requested by the Governor this year, it was not appropriated by the House and Senate due to the fact that staff did not highlight the need in the

Domestic Security committees. It is staff's hope that the GR will be appropriated during the 2006 Legislative session.

>>Fish and Wildlife Research Institute—Mr. Gil McRae presented the Institute's financial overview. The Institute's annual total operating budget is \$41,660,000, including 317 positions. Twenty percent of the Institute's budget is GR. The remaining funding is provided through the MRCTF (32%), SGTF (8%), Grants (28%), CARLTF (5%), STMTF (1%), FPRMTF (1%) and NGWTF (5%). Mr. McRae also provided a funding source overview.

Commissioner Yablonski asked for a breakdown of where the Institute receives its grant funding.

Mr. McRae responded that approximately 90-95% of the grant funding is federal funds.

>>Division of Habitat and Species Conservation—Mr. Tim Breault presented the division's financial overview. The division's annual total operating budget is \$65,125,705, with 296 positions. No GR funding is appropriated to this division. Funding is provided through MRCTF (1%), SGTF (46%), CARLTF (21%), STMTF (2%), FPRMTF (1%) and NGWTF (14%), LATF (9%), FLFTF (7%). Mr. Breault also provided a funding source overview.

Chairman Huffman asked how much money Florida has received from the State Wildlife Grants program.

Mr. Haddad explained that \$72 million dollars is divided among the states annually of which \$2.5 to \$3 million is appropriated to Florida each year.

Mr. Heller reviewed the total budget for the offices of Executive Direction, Finance and Budget, Licensing and Permitting, Information Technology, Policy and Stakeholder Coordination, Community Relations, Recreation Services, and Data Portal. Their combined total budget is \$20,153,118, with a total of 215 positions. Fifteen percent is provided from GR. Remaining funding is provided through MRCTF (17%), SGTF (52%), CARLTF (6%), NGWTF (7%), and Grants (3%). A funding source overview was also provided.

Commissioner Barreto asked if grant funding for the agency has increased.

Mr. Heller replied in the affirmative, adding that staff continues to seek grant funding from various sources.

Commissioner Barreto requested a list of statewide FWC office locations.

Commissioner Meehan asked where the Office of Executive Direction receives its appropriation.

Ms. Wilson advised that OED funding is appropriated through a fair distribution as a certain percentage of revenue to administer the agency.

Financial Business Plan Update

>>Mr. Lawson Snyder, Financial Business Plan Team Leader, presented the Action Team update. He began by thanking the Action Team members and other staff for their efforts on the Plan. The goal was to initiate development of a financial business plan for the FWC that has broad stakeholder support. The approach was to form an FWC Action Team and provide external analysis, and stakeholder and general public input. The team is currently compiling existing FWC data (historical trends), and other sources' data (forecast data, data typically used by the private sector), and analyze the existing agency fee structure.

Stakeholders, FWC's Outdoor Panel, and the General Public were surveyed regarding understanding and appreciation of FWC's financial situation, should FWC funding remain status quo, and what support exists for potential funding-enhancement options. Mr. Snyder stated the Consultant's Report will discuss the results of the situational analysis, public perception, and attitudes regarding funding-enhancements and degree of support for fund increases.

>>Mr. Brett Boston, Group Solutions (private consultant), reviewed citizen research conducted online with a sample of adult Floridians that closely matches the demographics of the 2000 Census (590 adult Floridians completed the survey), and presented research findings.

He explained that overall research findings were consistent with other National and recent Southeastern Association of Fish and Wildlife Agencies (SEAFWA) research findings. Citizen research on perceptions of fees is the largest study to date accomplished in Florida and represents a statistically accurate cross-section of Florida.

Regarding how the FWC might maintain the quality of Florida fish and wildlife, comments generally revolved around ways to improve finances and, to a lesser extent, ways to improve conservation and game management efforts. Among the most frequently mentioned financial suggestions were: license fee increases (18%), better law enforcement and stiffer fines (14%), and donations and increased funding (8%).

A sample of key findings from the citizen research included:

- Floridians generally have positive perceptions of fish and wildlife management in the state.
- Most Floridians do not support continuing any current exemptions from fishing and hunting licenses.
- Two-thirds of the respondents support raising the WMA stamp fee to \$30/year, but are divided over raising the WMA daily entry fee.
- Only 16% of Floridians agree that FWC should simply tighten its belt and seek no new funding.
- 62% disagree with "tightening the belt" and do not want core programs and services cut.
- The cost of licenses and permits is not a major factor in Floridians' decisions to not participate or participate less often in fishing,

hunting, boating, or wildlife viewing. It ranks far behind other listed factors. (Consistent with national data.)

- 62.7% of Floridians agree that FWC is generally cost effective, 11.9% strongly agree, 20.1% disagree, and 5.2% strongly disagree.
- 57% of Floridians agree that FWC is responsive to stakeholder needs; 14.1% strongly agree, 24.6 disagree, and 4.2% strongly disagree.
- When asked how well do you think FWC is funded to meet current and future demands, 66.9% stated FWC needs significantly more funding and 22.1% replied that FWC needs a little more funding.
- Regarding how relevant is the work and information from FWC, 75.7% replied highly relevant and 19.4% replied relevant.

Mr. Boston stated that 100 stakeholders participated in a recent follow-up survey that included their general membership; however, significant numbers from representative groups were not available to draw any conclusions.

Mr. Boston discussed the status of fees and funds, and provided recommendations, explaining that there are two parts to the agency mission and two parts to funding: *Managing fish and wildlife resources for their long-term well being and the benefit of people*. The resource part has some growth areas; however, many trust funds are declining, two of the largest license tags have no marketing dollars and face steep competition, species and resources issues are increasing, and some revenue increases are targeted to specific projects (not always related to FWC mission or strategy). Impacts of growth in Florida are increasing impacts on critical remaining habitat; and many terrestrial and freshwater species issues require immediate attention and the roles of research, management, and enforcement are in more demand.

With decreases in revenue to a majority of trust funds and lack of GR appropriations, an appropriate financial business plan is needed. Mr. Boston conveyed his belief that failure to shore-up funding now will cause increasing strain between otherwise compatible aspects of the mission, ultimately forcing the Commission to choose between two otherwise compatible components of the mission.

Based on Commission direction, consultants and staff will work with stakeholders to implement necessary changes, gain stakeholder and public support, and build a gubernatorial legislative message and strategy.

Commissioner Barreto asked if head boat licenses, which carry numerous fishers onboard, are causing loss of license revenue to the agency.

Mr. Boston stated that the agency loses much revenue from nonresident anglers taking the resource and not paying for a nonresident license because they are taking advantage of the vessel license.

Commissioner Barreto pointed out that if freshwater commercial fishermen are given the same type license, additional revenue will be lost to the agency.

Mr. Boston commented that a more expensive vessel license might be appropriate for the agency to profit from this type "exemption."

Commissioner Yablonski asked staff to forward to him a list of all FWC license and permit exemptions, and a copy of the script used in the citizen survey.

Regarding adding a vessel license for freshwater captains, Commissioner Barreto stated that there are too few operators to make a difference in funding.

Mr. Boston restated the options for Commission consideration:

- A. Reduce—Cut both the budget and current programs.
- B. Live within our means—Maintain current funding sources, reduce services and programs as necessary.
- C. Status quo—Develop funding needed to maintain the current level of services only.
- D. Enhancements—Provide current service levels with some enhancement of existing programs.
- E. Move forward—Add new programs wanted by stakeholders with recommendations on new funding.

Commission Discussion

Commissioner Meehan commented that Options C, D, or E might be appropriate but was more inclined to support Option E. He pointed out that private businesses can just raise fees. The survey indicates stakeholders and citizens are willing to pay for FWC services, many of which are currently performed for free. Rather than GR, the agency needs fee increases, elimination of exemptions, more grant money, increased fuel tax monies, and implementation of a bill that would require all vessels be registered. Each year the Consumer Price Index goes up but agency funding does not. FWC stands 49th in the nation in what it pays its biologists, continually losing talented employees in a state that is growing rapidly, which affects its fish and wildlife resources.

Commissioner Yablonski stated that it is clear trust funds are declining, with choices of continued spending or declaring a financial crisis. Any expanse means more funds. He suggested Option B or C would be appropriate to continue core functions and live within the agency's means. He believes if the agency is going to seek more funding it must depend on the stakeholders to approach the Legislature to express the need, adding that he does not believe the average hunter or fisherman is going to support fee increases.

Commissioner Barreto commented that during agency reorganization and recent restructure, programs and projects were streamlined or cut to a point where the agency is lean. If FWC is given more public lands to manage, it will need revenue for management and personnel. The agency must find new revenue sources, and it seems stakeholders and the public are willing to accept fee increases and help secure fee increases from the Legislature. With the survey data, FWC legislative staff will have an important tool to aid in convincing the Legislature that it is time to secure increased funding for the agency. With the number of people moving to Florida each week and the fact that Florida is the "Fishing Capital of the World," more funding will be required to maintain appropriate protection for fish and wildlife in addition to services for the citizens and tourists who enjoy

Florida and its natural resources. Commissioner Barreto offered his support of Option E, adding that it has been his hope that the FWC would be a trendsetter and the greatest fish and wildlife agency in the United States. With the important work of the agency during four hurricanes, more people became aware of the agency and now view its work from a different perspective.

Commissioner Barco pointed out that survey responses were equal to those asked by the 2002 Financial Task Force. She pointed out the need to increase license sales and eliminate certain exemptions because federal Wallop-Breaux and Pittman-Robertson appropriations are granted from the sale of hunting and fishing licenses. She stated that if the "no new taxes" stance remains with the legislature, Option C or D would be more appropriate. However, to ensure adequate funding into fiscal year 2007-08 the agency will require fee increases. Commissioner Barco voiced her opposition to trust fund sweeps, when the revenue could be used on agency programs with financial need.

Mr. Haddad mentioned that the Governor's office now has a policy that if a fee is not supporting the provided services, the Governor may consider fee increases. He also stated that some legislators are seeking financial business plans from agencies for a bettering understanding of overall financial need.

To explain the differences between C and D, Mr. Haddad stated that Option C is status quo, however, Option D would allow for some incremental increases, which would be applied to deficiencies. He explained that after the Commission decision, staff will return to the Commission in September with a number of options for a five-year strategy for the financial business plan.

Chairman Huffman stated that if he were looking at the options from a personal perspective he would first select "C" to stabilize his cash flow, followed with "D" to use savings to enhance programs, and finally "E" to determine what new projects might be taken on for the future with available funding. He mentioned that Florida hunting and fishing licenses are not expensive compared to other states, and that the fees should be increased. He asked the Commission to focus on Options C, D, and E.

Commissioner Barco offered a motion to direct staff to use Option C and follow-up with Option D to allow the agency to continue current programs and services at existing levels with development of enough funding to provide for some enhancement of existing programs but no new programs. The motion was seconded.

Commissioner Barreto conveyed that the Commission should not rule out Option E if stakeholders were willing to initiate and lobby appropriate legislation that would provide agency funding. Commissioner Barco agreed with Mr. Barreto's statement but did not wish to include it in the motion.

The Chairman called the question and the motion carried.

Commissioner Yablonski asked staff to be creative in developing a means to raise revenue, such as using "volunteer check offs" when purchasing fishing or hunting licenses similar to those used when you renew your license tag. He asked

staff to provide him information on what it would take for the agency to become self-sufficient and not require GR.

Budget Process Time Line

Ms. Wilson presented the budget process time line which will begin in June 2005 with directors submitting issue requests to the Executive Director, and end when the Governor releases the approved budget for the new fiscal year in May/June 2006.

Commission Discussion

Commissioner Barreto stated that with the new budget time line it is evident that the July meeting to discuss budget issues is premature and suggested discussions on budget and legislative issues be delayed until the September Commission meeting in the future.

Mr. Haddad agreed and suggested the 2006 July Budget/Legislative Commission meeting be eliminated and an additional day added to the September meeting.

Mr. Haddad asked for Commission direction on the FY 06-07 potential reductions and budget issues in order for staff to go forward with the legislative staff process with the Commission's general priorities.

FY 06-07 Potential Reductions

Ms. Wilson stated that each year, as agencies prepare their budget requests, they are required by law to include a list of potential reductions that will be available for consideration should the State have a need to cut back spending. These potential reductions must come from the recurring base operating budget of the agency and must be at least equal to 1.5% of that budget.

Ms. Wilson presented a summary of five scenarios of FWC potential reductions for FY 06-07: (1) Options to cut specific agency functions or parts of functions, (2) Options for reducing grant spending growth, (3) Options for reducing doc stamp growth, (4) Updated alternative reductions options, and (5) Staff recommendation for potential reductions list, which would reduce grant spending authority in Trust Funds (\$2,300,000) and reduce non-CARL Land Management through a shift from the SGTF to GR (\$742,000). Staff's recommendation for the potential reductions list is Scenario 5.

Commission Discussion

Commissioner Yablonski questioned the need for the subsidy paid to nuisance alligator trappers.

Colonel Jones explained that the agency requires experienced trappers to assist in the nuisance alligator program, and that the subsidy is small and pays primarily for the gasoline used to get to a location to take the nuisance alligator.

The subsidy was initiated after hide and meat prices fell dramatically, and will be re-evaluated if hide and meat prices increase to an acceptable level.

Upon motion of Commissioner Meehan, seconded and carried, the staff recommendation was approved.

Fiscal Year 06-07 Budget Issues Review

Ms. Wilson presented the FY 06-07 budget issues for Commission consideration of priority.

Commission Discussion

After reviewing the full list of issues, Commissioner Barreto suggested that, because it is very early in the budget process, the Commission give the Chairman and Executive Director authority to work on priorities for the Legislative Budget Request (LBR). The other Commissioners agreed.

Commissioner Yablonski added that it will be important this budget year to ensure the Executive Director and Chairman are in the best posture with the Legislature. He believes it will be a difficult budget year due to the GR needed for the class size amendment, prison beds, growth management, and Medicaid. He stated the most effective strategy for the Commission would be to present the Legislature with limited, most-needed priorities for GR.

Chairman Huffman and Commissioner Barreto questioned the need for FWC to seek Port Security Patrol GR, and asked why individual counties, the cruise ship industry, U.S. Coast Guard, or port authorities are not funding these special patrols. Commissioner Barreto stated that FWC officers should be able to patrol ports when off-duty to earn extra money from the port or county.

Colonel Jones responded that homeland security is a priority of the Governor. Cruise ships will not pay for needed security at Florida ports and the cruise ship industry is important to the Florida economy. FWC Law Enforcement patrols on an as-needed basis depending on the National Security Level.

Colonel Jones explained that FWC officers fill in where other marine officers are not available such as in Pensacola, Jacksonville, Key West, and Tampa.

During review of the GR issues, Mr. Haddad stated that staff would take a more aggressive approach with the counties so FWC does not have to ask the Legislature for GR dollars to cover port security costs.

Commissioner Meehan pointed out the importance of a new Marine Fish Hatchery due to the Manatee County Port Authority requesting return of the land which is currently occupied by a FWRI hatchery.

Mr. Haddad explained that the new Call Center (800 Number) is being requested to establish a statewide 800 number for citizens to call who wish to contact the agency.

Ms. Wilson stated that staff is seeking a general direction from the Commission on the FY 06-07 budget issues.

Public Comment

Bonnie Basham brought to the Commission's attention the importance of funding for renovations and updates to the FWRI Pathology Laboratory.

Commissioner Barreto offered a motion to allow the Chairman and staff to work on priorities from the budget issues list, and work with the Legislative staffs and the Governor's office on GR availability before budget recommendations are made. The motion was seconded.

Commissioner Barreto added that if there is an item that is important to the agency, staff must ask for its consideration in the LBR.

The Chairman called the question and the motion carried.

Upon motion of Commissioner Barreto, seconded and carried, the July 2006 Budget and Legislative Commission meeting was eliminated and one day was added to the September 2006 meeting.

Commission Exchange

Commissioner Barco related that it was a very informative meeting on the financial condition of the agency and where the agency must move forward in the LBR process. She mentioned the work of the Financial Task Force and how its findings mirrored public responses in the survey, and pointed out the need for a tiered permit system to ensure a facility like Disney World is not paying the same fee for its wildlife exhibition permit as the person with one exhibition animal.

Commissioner Meehan thanked members of the Governor's Planning and Budgeting staff and House and Senate appropriations staffs for taking the time to attend the meeting. He stated that it is important for these staffs to see how the FWC does more with less with more passion, and he welcomes the scrutiny. With Florida designated the "Fishing Capital of the World," and the variety of natural resources the Commission is charged to manage and protect, it is important to know that the public and stakeholders understand the need for fee increases and that we have the majority support.

Commissioner Barreto thanked Ms. Wilson for an excellent job in presenting the financial report and LBR issues for 2006-07. He believes non-resident fees should be increased and the agency should work toward a better public awareness program for the FWC, such as PSAs on radio and television.

Commissioner Yablonski stated he appreciated the staff's work on the budget meeting and the good spectrum of viewpoints presented on issues.

Chairman Huffman thanked Ms. Wilson for her meeting presentations, and the Commissioners for their good debate on issues.

All Commissioners agreed it was a good meeting. Chairman Huffman recessed the budget portion of the meeting at 5:00 p.m. He stated the meeting would reconvene on Friday, July 15, at 8:30 a.m. to discuss the 2006 Legislative session issues.

Chairman Huffman reconvened the meeting at 8:30 a.m., July 15, 2005, and called upon Ms. Jackie Fauls, Legislative Affairs Director, to present the 2006 Session Time Line.

Ms. Fauls introduced to the Commissioners the staff of the Legislative Affairs Office: Julie Reed, Bob Reinshuttle, and Grady Smith.

During the two-day meeting, Ms. Fauls introduced and welcomed: Glenn Reagan, Governor's Office, Environmental Unit of the Office of Planning and Budgeting; Greg Davis, House Appropriations Committee on Agriculture and Environment; Jane Hayes, Senate Appropriations Committee on General Government; and Michael Kliner, House Environmental Regulation Committee.

Ms. Fauls presented the 2006 Legislative Time Line, which begins in September 2005 with Interim Committee Meetings and ends on May 5, 2006 with the last day of regular session.

Agency legislative proposals for the 2006 include:

(1) Blue Crab License and Penalty—This legislative proposal establishes fees and penalties for the commercial blue crab effort management program approved by the Commission in June 2005. The successful implementation of the management program in July 2006 is contingent upon legislative action. The Organized Fishermen of Florida (OFF), Florida Fishermen's Federation, and the Southeastern Fisheries Association support this issue.

(2) Black Sea Bass Trap Retrieval Program Fee—This legislative proposal adds black sea bass to the post-season trap retrieval program including a \$10-per-trap retrieval fee. The proposal does not waive the fee for the first five traps retrieved because, unlike other fisheries that have allotted \$25 of their respective endorsement fees to trap retrieval, there is no black sea bass endorsement fee. OFF supports this issue.

(3) Lobster Counterfeit Trap Tag Penalty—The possession or use of spiny lobster trap tags not issued by the FWC is currently prohibited. A violation involving counterfeit traps tags carries a criminal penalty of a third-degree felony; however, there is no corresponding administrative penalty. This proposal would establish an administrative penalty of up to \$5,000 and a suspension of commercial saltwater fishing privileges for up to 24 months to be assessed for possession or using of altered, forged, counterfeit or imitation spiny lobster trap tags and the making, altering, forging, counterfeiting or reproducing of spiny lobster trap tags. This penalty would apply for receipt of a judicial disposition other than acquittal or dismissal. Establishment of this penalty would provide consistency of administrative penalties with the stone crab trap fishery and with the requested administrative penalty for the blue crab trap fishery. OFF and Monroe County Commercial Fishermen support this proposed legislation.

The Commission discussed the importance of this legislation to deter trap robbers who are stealing from the livelihood of legitimate commercial fishermen.

Ms. Reed presented the following proposals:

(4) Hunter Safety Course Standards—This proposal would delete the requirement that each hunter safety course consist of a minimum of 12 hours of instruction. This would not weaken the course but provide flexibility to tailor the course curriculum to standards established by the International Hunter Education Association (IHEA) and adopted by the U.S. Fish and Wildlife Service. These standards would determine the minimum hours of instruction required for certification and ensure the accreditation of the program by IHEA, therefore addressing reciprocity issues by assuring that all other states and countries accept the Florida hunter safety course as proof of safe hunter certification. This proposal is supported by course instructors and the National Rifle Association (NRA).

(5) Hunter Safety Mentoring—This proposal would provide a one-year mentor option that would defer the hunter safety course requirement for one year and allow a person to purchase a hunting license at the regular price to hunt with someone who has met the hunter safety course requirements. This proposal is supported by course instructors and NRA.

(6) Derelict Vessels—This proposal would provide local governments the authority to declare vessels derelict on their waterways, to remove such vessels without prior FWC approval, and would allow those local governments to recover their costs for such removal. Several southwest Florida counties have requested this proposal to allow for derelict vessel problems to be handled at the local level. This issue was one part of a broader bill during the 2005 legislative session that did not pass, and is supported by the Boating Advisory Council (BAC).

Commissioners mentioned the importance of this bill for safe, navigable waterways in Florida, pointing out that people just drop anchor and live on their boat to escape marina fees, live in a house boat without the proper authorization, or leave an inoperable boat in a waterway until it sinks or falls apart.

Commissioner Barreto asked who would pay the cost of removing derelict vessels.

Ms. Reed replied that costs are recovered from the owners.

Colonel Jones explained that prior to removal by an experienced contractor the vessel is assessed to determine whether it is abandoned or lost. This proposed legislation would streamline the process.

Public Comment

Sal Versaggi (Southern Shrimp Alliance) asked the Commission to support SSA's proposed legislation for the 2006 session that would increase Saltwater Product License (SPL) (with shrimp endorsement) fees for all vessels and individuals that offload and/or sell food shrimp in Florida as follows:

Resident:

- (1) Vessels less than fifty feet \$250
- (2) Vessels fifty feet and larger \$375
- (3) Individual SPL \$250

Non-Resident:

Vessels and Individuals \$800

These funds would be used to create a Florida Food Shrimp Development Fund. Fifty percent of funds collected over and above current fees would be allocated to the SSA and fifty percent would be allocated to the Florida Department of Agriculture and Consumer Services (DACS) Bureau of Seafood and Aquaculture to be used to promote and protect the Florida shrimp industry, with annual reporting to the FWC.

Mr. Versaggi stated that the shrimp industry must fight the import battle on two fronts by keeping the pressure on unfair dump shrimp imports and educate the consumer to ask for "wild Florida shrimp."

John Williams (SSA) pointed out the success of the DACS shrimp marketing efforts, suggesting the industry promote itself with increased fees.

Janie Thomas (Shrimp Producers Association) stated the SPA is totally opposed to what SSA is suggesting and will fight any increases in fees. She stated that Publix food stores are paid to carry only Chinese shrimp, Winn-Dixie stores are not putting labels on shrimp that have been frozen, and that foreign markets can circumvent the laws.

Bob Jones (Southeastern Fisheries Association) offered his support of the SSA proposal, pointing out that it is a self-help program of the industry, which is necessary for the Florida shrimp industry to survive. He mentioned that chemicals are used in Asian pond-raised shrimp and foreign markets use limited sanitation when moving shrimp to market.

Chairman Huffman asked Mr. Jones if cultured shrimp can cause health issues.

Mr. Jones responded in the affirmative adding that people should be aware of the origin of the shrimp they are eating.

Al Hammond (NRA) offered the association's support of the Hunter Safety Course Standards and Hunter Safety Mentoring legislation as presented by staff. He believes the mentoring legislation will increase license sales.

Bonnie Basham stated her husband has been working with the Boy Scouts regarding a hunter's merit badge. On behalf of Standing Watch, the Florida Council of Yacht Clubs, and Boat US, she offered support for the removal of derelict vessels from Florida's waterways, and stated that boaters should be able to remove their own boat from the water following a hurricane before it becomes a problem.

Commission Discussion

Chairman Huffman asked staff to keep the Commission up to date on the SSA's proposed legislation to increase the Seafood Product Licenses that have a food shrimp endorsement.

Mr. Haddad stated he would discuss the SSA proposal with DACS to determine if they would facilitate communication across the industry to see if there is some consensus legislation that might be drafted. He added that he did not want the FWC to be involved as a middleman in distributing funds.

Commissioner Meehan voiced his opinion that the FWC should support Florida shrimpers, adding that it is important to him to know where the shrimp he is eating are coming from whether he is purchasing them in a restaurant or grocery store.

Commissioner Barreto offered a motion to accept legislative proposal items (1) through (6) as presented by staff. The motion was seconded and carried.

Work-in-Progress Legislation

Ms. Fauls discussed other legislative proposals that staff are working on for possible inclusion with the agency's 2006 legislative proposal, which included (1) Senior Platinum Sportsman's License [\$25], (2) Use of crossbow during archery and muzzleloading gun seasons, (3) Manatee license tag wording change, and (4) Consistency among hunting and fishing recreational penalties.

Ms. Fauls stated that on the blue crab trap issue, staff is reviewing a special endorsement for displaced netters to be included in the blue crab trap fishery.

Ms. Reed presented the Boating Citation Accounting and Transmission System (BCATS) proposal, which would require a statewide accounting system that would process uniform boating citations electronically and uniformly in all 67 counties. This proposal will not be ready for the 2006 session.

Commission Discussion

Commissioner Meehan suggested the cost of the Senior Platinum Sportsman's License might be increased to \$40.

Commissioner Barreto stated that he would prefer to see a comprehensive legislative package of agency license and permits increases rather than using a piecemeal approach.

Mr. Haddad responded that staff will review Commission options on fee increases and present a strategy for Commission discussion at the September Commission meeting.

Public Comment

Bonnie Basham stated that the freshwater fishing guides continue to support a vessel license similar to the saltwater vessel license. She asked the Commission to resubmit this proposal in the 2006 legislative package.

Al Hammond mentioned the importance of the Senior Platinum Sportsman's License because by adding these licenses to the total number of licenses sold, the agency becomes eligible for additional federal Pittman-Robertson funding. He pointed out the need for increased funding for youth fishing and hunting programs and additional youth camps that teach outdoor skills, which could be financed from Pittman-Robertson funds. Mr. Hammond offered his support of the penalty review for consistency among hunting and fishing recreational penalties.

Commission Discussion

Upon motion of Commissioner Barco, seconded and carried, staff would continue to work on the BCATS proposal for the 2007 Legislative session.

Chairman Huffman mentioned the importance of keeping agency fees on par with the CPI.

Mr. Haddad stated that there is currently a strategy under review that would automatically increase fees at five-year increments.

Presentations by the Public

Ronnie Day (OFF) asked the Commission to take charge of the net fishery by sponsoring a joint legislative resolution to amend the Florida Constitution to delete the "gill and entangling net" clause from Article X, Section 16. Passage of the amendment would give the FWC the proper tools to set mesh sizes and manage the fisheries, which it is capable of doing.

Executive Director's Report

Mr. Haddad asked Colonel Jones to brief the Commissioner's on the aftermath of Hurricane Dennis in the panhandle of Florida.

Colonel Jones presented a power point pictorial of the stricken areas the morning after the storm. She detailed the joint effort of FWC, Fire Marshall's office, DACS, and the mutual aid process of the Florida Department of Law Enforcement to ensure the safety of citizens and their assets. Additionally, Urban Search and Rescue, a group who travels worldwide to assess areas following destructive disasters, was involved in immediate response during the operation and provided the power point presentation.

Commissioner Yablonski stated that Florida State Government is doing a great job with hurricane coordination. He thanked all state leaders and emergency personnel participating in the joint effort.

Commission Exchange

Commissioner Yablonski asked staff to provide him an overview of the nuisance alligator program. He suggested hide markets and values be reviewed annually to determine the need for the continued subsidy to the trappers.

Commissioner Meehan explained that the alligator subsidy was provided because the nuisance trappers were losing money while performing a much-needed service for the FWC. There has been a depressed alligator hide/meat market in addition to a disease that has been affecting the quality of hides. He believes the FWC should continue to aid the trappers with an annual review of the subsidy. Commissioner Meehan restated his desire to see "alligator" tag legislation, offered his support of a Boy Scout merit badge for passing the hunter education course, and a strategy on grouping fee increases or presenting singly to the legislature. He thanked all FWC staff who worked to ensure citizen safety during hurricane details.

Commissioner Barreto complimented the Legislative and Budget staffs for their presentations and thanked Brett Boston for his presentation on the citizen/stakeholder results.

Chairman Huffman thanked staff members of the Legislature and Governor's Office of Planning and Budgeting for attending the meeting to gain a better understanding of the agency budget and legislative priorities. He thanked all Commission employees who worked to ensure a smooth meeting.

The next regular Commission meeting will be held September 21-22, 2005 in St. Petersburg Beach.

There being no further business, the meeting was adjourned at 10:50 a.m.

H.A. "Herky" Huffman
Chairman

Kenneth D. Haddad
Executive Director

Respectfully submitted:

Commission Secretary

/tm
Minutes\july 2005