

- SUBJECT:** Fishing license exemption for seniors in home or adjacent county
- COMMITTEE:** State Recreational Resources — favorable, without amendment
- VOTE:** 9 ayes — Kuempel, Cook, Alexander, Crownover, J. Davis, Ellis, Homer, Hope, Ritter
- 0 nays
- WITNESSES:** For — George H. Kizziar, Capitol Rod and Gun Club
- Against — None
- On — Bill Baker, Dennis Johnston, Texas Parks and Wildlife Department
- BACKGROUND:** Before September 1, 1995, all resident seniors over age 65 were exempt from fishing license requirements. In 1994, the 74th Legislature enacted HB 1785 by Kuempel, which changed the law to specify that resident seniors are exempt from fishing license requirements only if they were born before September 1, 1930. The law authorizes the Texas Parks and Wildlife Commission to lower or waive the fishing license fee or license requirement for both residents and nonresidents who are at least 65 years old. The commission has set a license fee of \$6 for seniors, compared to \$19 for nonsenior residents.
- DIGEST:** HB 687 would exempt a Texas resident who is at least 65 years old from fishing license requirements when fishing in that person's county or in an adjacent county.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house.
- SUPPORTERS SAY:** HB 687 simply would change the law back to the way it was for seniors before 1995. It would allow the state to lift the fishing license requirement for Texas' senior citizens, many of whom have supported and used state fishing resources throughout their lives. Seniors, who often live on low or fixed incomes, should get a financial break.

The exemption would apply only to seniors fishing in their resident county or in an adjacent county. It would provide a break for seniors who prefer not to travel far and want to fish in a stream close to home. Seniors who wanted to fish in other counties still would have to pay the \$6 license fee.

The Texas Parks and Wildlife Department (TPWD) would not lose funding if the conference committee adopts the Article 11 wish list provision in the House-passed version of HB 1 that would compensate TPWD for the revenue they otherwise would receive for these licenses.

**OPPONENTS
SAY:**

Allowing seniors to fish in their resident or adjacent counties without a fishing license would create budget and enforcement problems for TPWD.

If HB 687 were enacted, the number of seniors 65 and over who would take advantage of the fishing license exemption would increase every year. This would translate into a growing monetary loss for TPWD. The bill's fiscal note indicates that TPWD's loss of license fees from this measure would mount from \$189,521 in fiscal 2000 to \$329,935 in fiscal 2004. These losses would not level out until 2034. To make up these losses, the commission might have to raise fishing and hunting license fees for nonsenior age groups or start requiring licenses for youths 17 and under.

HB 687 would be hard to enforce because in many cases it could be hard for law enforcement officers to establish whether seniors were fishing in their resident counties or in adjacent counties.

NOTES:

The Article 11 wish list in the House-passed version of HB 1 by Junell, the general appropriations bill now in conference committee, would appropriate to TPWD \$189,521 for fiscal 2000 and \$222,873 for fiscal 2001 in general revenue from unclaimed refunds of motorboat fuel taxes for the purpose of providing public fishing and law enforcement activities, contingent on enactment of HB 687.