Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Sub. H.B. 420 of the 129th G.A. **Date**: December 5, 2012

Status: As Reported by Senate Agriculture, Environment & Natural Resources **Sponsor**: Reps. Peterson and Stinziano

Local Impact Statement Procedure Required: No

Contents: Requires licensing of nuisance wild animal removal and control services, makes changes to certain hunting and fishing law provisions, and alters rule-making procedures governing anhydrous ammonia and other fertilizers

State Fiscal Highlights

Nuisance wild animal control licensure

- The Wildlife Fund (Fund 7015) would receive fees collected by the Department of Natural Resources from the licensure of companies and individuals engaged in nuisance wild animal removal and control. This fee is $40 annually.
- The bill exempts persons who perform commercial nuisance wild animal control services from having to obtain a hunting license, fishing license, or fur taker permit for the purposes of performing such services. The Wildlife Fund (Fund 7015) could lose some license revenue as a result of this exemption.
- The bill requires any company or individual that uses a pesticide in nuisance wild animal removal or control activities to obtain the appropriate pesticide license from the Department of Agriculture. The Pesticide, Fertilizer, and Lime Program Fund (Fund 6690) could gain revenues from these fees if any additional pesticide licenses are issued under the bill.

Hunting and fishing license and permit exemptions

- The bill creates exemptions from obtaining hunting and fishing licenses and certain associated permits for (1) individuals who hunt in certain licensed shooting or hunting preserves or (2) nonresident landowners who hunt and fish on their own Ohio lands. This could result in a minimal loss in license revenues to the Wildlife Fund (Fund 7015).

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

Nuisance wild animal control licensure

The bill requires an individual or business that provides nuisance wild animal removal or control services for hire, to obtain a license from the Division of Wildlife within the Department of Natural Resources (DNR). The fee for a nuisance wild animal control business license is $40 annually. Under the bill, the Wildlife Fund (Fund 7015) will collect these fee payments and cover the costs of administering the licensure program.

According to DNR, there are currently 573 individual nuisance wild animal trappers in Ohio who perform these services under the auspices of a hunting license or trapping permit. If these individuals all apply for a wild animal removal or control license at $40 per person, that would result in revenue of $22,920 to the Wildlife Fund. The number of companies that perform these services on a commercial basis is currently unknown.

Exemptions

The bill exempts a person who is performing nuisance wild animal removal or control services under a license from having to obtain a hunting license, fishing license, or fur taker permit for the purposes of performing such services, as under current law. This could result in a reduction in fee revenues from these licenses. However, this loss could be offset partially by fee revenues from applicants for nuisance wild animal removal and control licenses, and from individuals who would still be required to obtain a hunting license, fishing license, or fur taker permit in order to engage in hunting, fishing, or trapping activities outside of the performance of nuisance wild animal removal and control services.

Pesticide license requirement

The bill also requires any individual that uses a pesticide in the practice of nuisance wild animal control or removal to obtain a license from the Department of Agriculture. This would most likely be either a pesticide business license or a commercial applicator license. Under current administrative rules, the fee to obtain each of these licenses is $35 per year. Fee receipts are deposited into the Pesticide, Fertilizer, and Lime Program Fund (Fund 6690). Any gain in fee revenues to this fund would depend on the number of individuals who would need to obtain a license but do not already have one.

Changes to hunting and fishing law

License exemptions for hunting in certain licensed preserves

The bill (1) allows individuals to hunt game birds other than wild turkeys in licensed commercial bird shooting preserves without a hunting license, and (2) allows

individuals to hunt game and nonnative wildlife in a licensed wild animal hunting preserve without a hunting license or deer permit. While these provisions permit those persons who do not have hunting licenses to hunt in such licensed preserves, they do not change any other requirements for obtaining a hunting license, and thus are unlikely to affect substantially the number of hunting licenses sold by the Division of Wildlife and any associated revenues to the Wildlife Fund. It is possible that some individuals who currently possess hunting licenses only use them in licensed preserves, and as such, would not be required to renew them if they do not plan on hunting outside the preserves. Any loss in revenue from such nonrenewals, however, is likely to be minimal at most.

License exemptions for nonresident landowners

Under current law, residents of other states who own land in Ohio are permitted to hunt on their Ohio land without an Ohio hunting license if their home state also allows nonresidents to hunt on land they own in that state without a license. The bill expands this exemption by allowing such nonresident owners of land in Ohio to (1) hunt deer and wild turkey on their Ohio lands without obtaining a deer or wild turkey permit, and (2) to hunt or trap fur-bearing animals on their Ohio lands without a fur taker permit. This provision may result in a minimal decrease in revenues to the Wildlife Fund if these nonresident landowners had previously obtained deer, wild turkey, and fur taker permits to hunt these animals on their own lands, despite not needing an Ohio hunting license to do so.

The bill also allows nonresident landowners to take frogs, turtles, and fish from waters flowing through or standing upon their Ohio properties without a fishing license, provided that those landowners' states of residence allow nonresidents similar privileges. This may result in a decrease in fishing license revenue to the Wildlife Fund, depending on the number of nonresident landowners who have obtained Ohio fishing licenses but would no longer be required to do so under the bill.

Rulemaking governing anhydrous ammonia and other fertilizers

The bill clarifies the Department of Agriculture's rule-making authority with regard to anhydrous ammonia systems and other fertilizers by specifying and defining anhydrous ammonia equipment and systems, and specifically giving the Department rule-making authority regarding fertilizers. These changes will not result in any additional costs to the Department, specifically the Plant Health Division which currently inspects the installation and oversees the operation of anhydrous ammonia storage systems. This program is supported by per unit fees charged to feed dealers for feed inspections, which are deposited into the Commercial Feed and Seed Fund (Fund 4C90). Generally, during a fiscal year, the Department inspects approximately 2,500 pesticide and fertilizer dealers and facilities.