

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1145 State Park Entrance Fees
SPONSOR(S): Agriculture and Natural Resources Policy Committee, Bemby and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 2256

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Agriculture & Natural Resources Policy Committee	10 Y, 0 N, As CS	Kaiser	Reese
2)	Natural Resources Appropriations Committee			
3)	General Government Policy Council			
4)				
5)				

SUMMARY ANALYSIS

The Division of Recreation and Parks (division) within the Department of Environmental Protection (department) oversees Florida’s 160 state parks. The division has statutory authority¹ to charge reasonable fees for the use or operation of facilities and concessions in the state parks. The monies collected from these fees are deposited into the State Park Trust Fund (trust fund), which is used for the administration, improvement and maintenance of the state parks and acquisition of lands for state park purposes.

The bill provides for active duty members and veterans of the United States Armed Forces (armed forces) and reserve forces to receive a twenty-five percent discount on annual entrance passes to Florida’s state parks. The bill also provides for veterans with service-connected disabilities to receive a lifetime family annual entrance pass at no charge. Surviving spouses of members of the armed forces and reserve forces who have fallen in combat shall also receive a lifetime family annual entrance pass at no charge. The division shall prescribe what constitutes satisfactory documentation to evidence eligibility.

The bill also reinstates language regarding the duties of the division into Chapter 258 of the statutes. This language had previously been located in Chapter 418, F.S.

The division states that there will be a potential reduction in state park revenue, which is indeterminate at this time. However, the division states that the publicity and goodwill earned by the state is expected to offset the loss in revenues and result in increased visitation, thereby generating additional economic benefit for the local communities and the state. The effective date of this legislation is July 1, 2010.

¹ Section 258.014(1), F.S.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Section 1:

The Division of Recreation and Parks (division) within the Department of Environmental Protection (department) oversees Florida's 160 state parks. The division has statutory authority² to charge reasonable fees for the use or operation of facilities and concessions in the state parks. The monies collected from these fees are deposited into the State Park Trust Fund (trust fund), which is used for the administration, improvement and maintenance of the state parks and any acquisition of lands for state park purposes.

The division currently offers two types of annual entrance passes; the family annual entrance pass for \$120, and the individual annual entrance pass for \$60.³ At this time, there are no discounts on the purchase price of the annual passes.

The division offers a discount of one-half off of the daily admission fee to Florida National Guard active members, spouses and minor children. In addition, the division offers one-half off of daily admission fees for Florida residents participating in the Food Stamp program; and one-half off of the base camping fee for Florida residents who are 65 years and older or who are 100% disabled.

Currently, more than half of the fifty states in the United States offer some form of discount for entry into their state parks for veterans of the armed forces.

Section 2:

During the current legislative session, the Military and Local Affairs Policy Committee sponsored HB 7094, which repealed language relating to recreation centers. Initially, the department saw no harm in repealing the language but later realized having this language in statute removes any question of the division's authority since they are currently performing many of these functions.

Effect of Proposed Changes

Section 1:

The bill provides for active duty members and veterans of the United States Armed Forces (armed forces) and reserve forces to receive a twenty-five percent discount on annual entrance passes to

² Section 258.014(1), F.S.

³ During FY 2008-09, annual entrance pass sales accounted for approximately \$2 million in revenues.

Florida's state parks. The bill provides for veterans with service-connected disabilities to receive a lifetime family annual entrance pass at no charge. Surviving spouses of members of the armed forces and reserve forces who have fallen in combat shall also receive a lifetime family annual entrance pass at no charge. The division shall prescribe what constitutes satisfactory documentation to evidence eligibility.

Section 2:

The bill reinstates language regarding the duties of the division into Chapter 258 of the statutes. This language has previously been located in Chapter 418, F.S.

B. SECTION DIRECTORY:

Section 1: Creates s. 258.0145, F.S.; provides discounts on park fees for members and veterans of the United States Armed Forces, reserve forces, and surviving spouses of certain veterans.

Section 2: Amends s. 258.004, F.S.; revises the duties of the Division of Recreation and Parks.

Section 3: Provides an effective date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See "Fiscal Comments" section below.

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See "Fiscal Comments" section below.

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Persons who are active duty armed forces, reserve forces, veterans and/or surviving spouses will benefit from this legislation.

D. FISCAL COMMENTS:

The Division of Recreation and Parks (division) within the Department of Environmental Protection (department) states that there will be a potential reduction in state park revenue, which is indeterminate at this time. However, the division states that the publicity and goodwill earned by the state is expected to offset the loss in revenues and result in increased visitation, thereby generating additional economic benefit for the local communities and the state.

For the most part, there would be no fiscal impact on local governments. However, according to the department's website⁴, some counties impose a surcharge in addition to the division's entrance fee. It

⁴ <http://www.floridastateparks.org/thingstoknow/fees.cfm>

is unclear whether the surcharge would be waived as well as the entrance fee. If the surcharges were waived, this may represent a potential reduction in revenue for the counties that impose the surcharge.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This legislation does not appear to affect county or municipal government.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

On March 11, 2010, the Agriculture & Natural Resources Policy Committee amended and passed HB 1145 as a Committee Substitute (CS). The amendment reinstated language regarding the duties of the Division of Recreation and Parks, within the Department of Environmental Protection, into Chapter 258 of the Florida Statutes.