

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: March 18, 1998 Revised: 3/23/98 _____

Subject: The Old Keys Bridges located in Monroe County

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Caridi</u>	<u>Johnson</u>	<u>TR</u>	<u>Fav/1 amendment</u>
2.	_____	_____	<u>NR</u>	_____
3.	_____	_____	<u>WM</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill amends chapter 86-304, Laws of Florida, to implement the recommendations of the Old Keys Bridges Task Force established by Governor Chile's Executive Order 97-253. Title to the Old Keys Bridges located in Monroe County is given to the Board of Trustees of the Internal Improvement Trust Fund, except the portion of the Seven Mile Bridge from Knights Key to Pigeon Key which remains with the Department of Transportation. The bill allows the board to lease the bridges primarily for a public purpose and in compliance with the recommendations of the task force, the local comprehensive plan, and applicable zoning requirements.

This bill substantially amends chapter 86-304, Laws of Florida.

II. Present Situation:

In August of 1997, Governor Chiles created, by Executive Order 97-253, the Old Keys Bridges Task Force to recommend any necessary changes to ch. 86-304, L.O.F. The bridges were abandoned to vehicular traffic when replacement bridges were built in the 1980's. The department transferred title (except for that portion of Seven Mile Bridge between Pigeon Key and Marathon) to the Board of Trustees of the Internal Improvement Trust Fund, which is staffed by the Division of State Lands in the Department of Environmental Protection (DEP).

While title was transferred, the question of management and funding for management was still unresolved. The Department of Transportation has provided minimum litter control and roadside maintenance for the bridges even though they are no longer in the state transportation system. This maintenance was at one time funded by the department's resources, but is currently funded by the DEP's Division of Recreation and Parks appropriated monies from the 1997-1998 fiscal year.

Although this service is provided, complaints and concerns have been lodged regarding abuses such as camping on the bridges, vandalism, and visitors to the bridges encountering a buildup of trash such as broken glass, old fishing tackle and dead fish. Private individuals have also expressed interest in leasing one or more of the bridges.

In response, Governor Chiles created by Executive Order 97-253, the Old Keys Bridges Task Force and charged them with recommending a future course of action and any necessary changes to ch. 86-304, L.O.F.

III. Effect of Proposed Changes:

The bill replaces obsolete language in ch. 86-304, L.O.F. Title is vested with the board, except for that portion of the Seven Mile Bridge from Knights Key to Pigeon Key which will remain with the Department of Transportation.

The board may lease the bridges to governmental or other non-profit or commercial entities. The primary use of the bridges must be for a public purpose and commercial use of the bridges must support the public recreational use without any permanent structures. any lease must be in compliance with the local comprehensive plan and applicable zoning requirements.

The Whereas clauses of ch. 86-304, L.O.F., are repealed, rescinded and nullified. The clauses stated that the replaced bridges were the following: surplus to transportation needs, the responsibility of DOT, a possible future transportation alternative, and more costly than the public could afford to maintain. The clauses also prohibited the interference of any lease with the facilities of a utility already in existence on a bridge, referenced the State Bridge Management Committee's recommendation of a management plan and directed DOT and the Board of the Internal Improvement Trust Fund to work together in implementing a plan that serves a public purpose. They will no longer be considered as evidence of the intent of the Legislature in adopting ch. 86-304, L.O.F., or any amendments thereto.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The public would benefit from managed bridges. There would be more maintenance and facilities offered for a public purpose. Private citizens would be able to lease the bridges.

C. Government Sector Impact:

DEP's Division of Recreation and Parks was appropriated \$100,000 for other personal services (OPS) from the state park trust fund to fund maintenance of the bridges. The division estimates \$4,961 in costs for repairs based on the task forces's final recommendations. Also needed would be an estimated total of \$61,174 (salary, travel other expenses, and overhead capital outlays) for a planning manager.

VI. Technical Deficiencies:

One sentence in the bill is unnecessarily repeated. Deleting that sentence would avoid the repetition and match this bill identically with the House bill. (See Amendment #1 by Transportation.)

VII. Related Issues:

None.

VIII. Amendments:

#1 by Transportation:
Deletes unnecessarily repeated language.