

STORAGE NAME: H0985.wrm
DATE: March 17, 1997

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
Water and Resource Management
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 985
RELATING TO: Florida Panther Research and Management Program
SPONSOR(S): Representative Casey
STATUTE(S) AFFECTED: None
COMPANION BILL(S): SB 1736 (I)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) WATER AND RESOURCE MANAGEMENT
- (2) GENERAL GOVERNMENT APPROPRIATIONS
- (3)
- (4)
- (5)

I. SUMMARY:

The State of Florida through its Panther Research and Management Program purchased nine Texas cougars for the purpose of testing the suitability of certain habitats for large cats and crossbreeding with the Florida panther to provide the Florida cat with the requisite genetic variability to ensure its future health. The cougars remaining at the end of the program were subsequently sold and later returned to Texas. Reports indicated they may have been used for private hunts.

Sarasota in Defense of Animals, a nonprofit organization under Chapter 501 (c)(3), of the Internal Revenue Code, urged the Florida Game and Fresh Water Fish Commission (the game commission) to use money from the Panther Research and Management Trust Fund to repurchase and maintain the three cougars rescued from their Texas owner.

Under Section 372.672, F.S., the game commission may expend funds from the Panther Research and Management Trust Fund for specific purposes. However, the statute is unclear if these funds can be used for reimbursement purposes. Sarasota in Defense of Animals raised public donations in the amount of \$25,470 to repurchase the three cougars. The Sarasota group wishes the game commission to assume responsibility for the cougars because these animals were originally captured and sold to the state as a part of the agency's Panther Research and Management Program.

Sarasota in Defense of Animals requests reimbursement from the Florida Panther Research and Management Trust Fund for the costs it has incurred in repurchasing and settling the cougars. The group also requests the state to provide sufficient funding to ensure the cougar's care and protection for the balance of their lives. The amount requested is \$50,000.

This act shall take effect July 1, 1997.

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II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Sarasota in Defense of Animals has incurred expenses on behalf of the three remaining Texas cougars. The cougars were purchased from a farm at Balmorhea, Texas, and were transported to the Wild Animal Orphanage in San Antonio. Cost for the rental truck; two licensed wildlife rehabilitators to assist in rescue and initial veterinarian examination; initial housing; and food costs came to a total of \$11,000.

Material and labor costs to construct a 22,000-square-foot, federally approved caged compound for the cougars was \$31,337.72. To date, Sarasota in Defense of Animals has spent a total of \$42,337.72 on behalf of the three cougars.

The ongoing cost for food and maintenance of the cougars is a nebulous figure. The life span of such animals in captivity must take into consideration the current age and general health. Based on these factors, the three cougars could live an estimated average of 10 more years. It has been estimated that the average food and maintenance costs will be \$3 per day per animal. This equates to a total of \$3,285 per year or \$32,850 for the 10-year period. All outstanding bills have been paid by the Sarasota group, through donations and an interest-free loan.

Using current calculations, the \$50,000 requested will not cover the complete cost of rescue and continuing maintenance of the three animals. Sarasota in Defense of Animals has collected \$25,470 in public donations which they propose to use as matching funds to partially cover the rescue and maintenance of the three cougars for their lifetimes. Thus, the Panther Research and Management Trust Fund's \$50,000 will actually be used as matching funds to partially cover establishment and maintenance of the three cougars.

The Florida Panther Research and Management Trust Fund, created in 1983 by the Legislature, has a current balance of \$1.8 million, according to the game commission staff. The trust fund receives private donations and grants, but its main source of revenue is from sales of the Florida Panther License Plates, a specialty plate that costs \$25 more than a regular license plate. Pursuant to s. 320.08058(5), F.S., 85 percent of the revenues generated by sales of the specialty plate must be deposited in the Florida Panther Research and Management Trust Fund to be used for education and programs to protect the endangered Florida panther. The remaining 15 percent, but no less than \$300,000, must be deposited in the Florida Communities Trust Fund to be used pursuant to the Florida Communities Trust Act.

Pursuant to s. 372.672, F.S., money in the trust fund shall be spent only for the following purposes:

- (a) To manage and protect existing Florida panther populations by increasing panther food sources where food is a limiting factor, determining conflicts between public use and panther survival, and maintaining sufficient genetic variability in existing populations.

(b) To educate the public concerning the value of the panther and the necessity for panther management.

(c) To reestablish Florida panthers into areas of suitable habitat, where feasible, by assessing the necessity of a captive breeding program for purposes of reintroduction of the panthers into the suitable habitat; selecting potential sites for reintroduction and investigating associated human sociological aspects; and assessing the potential for panther habitat acquisition.

B. EFFECT OF PROPOSED CHANGES:

Technically, HB 985 will reimburse Sarasota in Defense of Animals for expenses incurred in saving the three remaining cougars. However, it appears that the \$50,000 will serve as matching funds to ensure future care and maintenance of the three cougars. Sarasota in Defense of Animals has said it will establish a special bank account to assure safekeeping of the money set aside for care of the animals.

The expenses incurred by Sarasota in Defense of Animals added to the projected costs of maintaining the three animals for approximately 10 years is \$75,187.72. Sarasota in Defense of Animals has donated as matching funds \$25,470 raised through donations.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

Not applicable.

2. Lower Taxes:

Not applicable.

3. Personal Responsibility:

Not applicable.

4. Individual Freedom:

Not applicable.

5. Family Empowerment:

Not applicable.

D. SECTION-BY-SECTION RESEARCH:

Section 1: Provides that notwithstanding the provision of sections 320.08058(5) and 372.672, F.S. to the contrary, \$50,000 is appropriated from the Florida Panther Research and Management Trust Fund to Sarasota in Defense of Animals, a nonprofit organization. Directs that the \$50,000 is for the purpose of reimbursing the

organization for expenses incurred in repurchasing the remaining 3 Texas cougars originally purchased as part of the Florida Panther Research and Management Program, constructing a USDA approved holding facility and providing for maintenance of the three cougars for the remainder of their lives.

Section 2: Provides that this act shall take effect July 1, 1997.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

HB 985 requires a one-time expenditure of \$50,000 from the Florida Panther Research and Management Trust Fund to the Sarasota in Defense of Animals.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

HB 985 requires a one-time expenditure of \$50,000 from the Florida Panther Research and Management Trust Fund to the Sarasota in Defense of Animals.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

Sarasota in Defense of Animals receives \$50,000 for the rescue, care and maintenance of the three cougars, which the group will, in turn, pay to the animal orphanage in Texas, where the cougars now live.

3. Effects on Competition, Private Enterprise and Employment Markets:

Not applicable.

D. FISCAL COMMENTS:

This type of appropriation from the Panther Research and Management Trust Fund is not allowed under the current statute.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

Not applicable.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

Not applicable.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

Not applicable.

V. COMMENTS:

The sponsor plans to offer a strike-everything after the enacting clause amendment that changes the amount of funds requested from \$50,000 to \$49,717.72. The amendment also changes several "whereas clauses" in the title for clarity.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

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VII. SIGNATURES:

COMMITTEE ON Water and Resource Management:

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