

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.)

BILL: CS/CS/SB 306

SPONSOR: Fiscal Resource Committee, Natural Resources Committee and Senator Bronson

SUBJECT: Land Management

DATE: February 18, 1999 REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------------|----------------|-----------|---------------------|
| 1. | <u>Gee</u> | <u>Voigt</u> | <u>NR</u> | <u>Favorable/CS</u> |
| 2. | <u>Keating</u> | <u>Wood</u> | <u>FR</u> | <u>Favorable/CS</u> |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |

I. Summary:

This Committee Substitute extends existing funding from the Conservation and Recreation Lands Trust Fund (CARL TF) for land management and maintenance to lands not currently eligible for such funding, if the newly-eligible lands are managed by a state agency and titled to either the board of trustees or a state agency and are contiguous to lands acquired pursuant to s. 259.032, F.S., or s. 259.101, F.S. The bill also permits the use of equipment purchased with CARL TF funds on any lands acquired for conservation or recreation.

The bill also provides an exemption from a recreational user permit fee to hunt on certain leased lands to a supervised 16-year old or younger dependent child of a permittee.

The bill amends ss. 259.032 and 372.57, F.S.

II. Present Situation:

Currently, s. 259.032, F.S., provides for an amount up to 1.5 percent of the cumulative total of funds ever deposited into the Florida Preservation 2000 Trust Fund (P-2000 TF) to be made available annually for the purposes of management, maintenance, and capital improvements, and for associated contractual services, for lands acquired pursuant to s. 259.032, F.S., and s. 259.101, F.S., to which title is vested in the Board of Trustees of the Internal Improvement Trust Fund (Trustees). Although the 1.5 percent factor relates to the P-2000 deposits, the actual funds are appropriated from the CARL TF. This funding is limited to use on lands acquired through bond-funded programs, i.e., the Environmentally-Endangered Lands, Save Our Coasts, Conservation and Recreational Lands, and Preservation 2000 programs. State agencies, particularly the Game and Fresh Water Fish Commission (GFWFC) and the Division of Forestry (DOF) manage, and in some cases, own substantial acreage of conservation and recreation lands that do not qualify for this funding. The GFWFC has title to three wildlife management areas (WMAs) totaling 143,553 acres that are contiguous to conservation and recreational lands that receive management funds from the CARL TF. These WMAs (Joe Budd, Babcock-Webb, and

J. W. Corbett) do not receive CARL TF management funds and the GFWFC would like the authority to expend some portion of its share of the CARL TF management funds to benefit these WMAs. If the full 1.5 percent factor is appropriated as expected for FY 1999-2000, the GFWFC will receive \$8,150,454 for 321,636 acres.

Pursuant to s. 372.57(4)(b)2., F.S., as an alternative to the traditional leasing of recreation land to the GFWFC, a landowner may elect to receive user fees instead of negotiating a lease fee. Such a recreational user permit fee is required to hunt, fish, or otherwise use, for outdoor recreational purposes, land leased by the GFWFC from participating private nongovernmental owners. The fee for this permit is based upon the economic compensation desired by the landowner, game population levels, desired hunter density, and administrative costs and is established by rule of the GFWFC. Currently, only two such fees have been established at \$75.00 and \$125.00 per user. After deducting a \$25.00 administrative fee, the fees are returned to the landowner. The GFWFC reports that no permits have been sold to sixteen years old or younger dependent children of permittees to date, and proposes that such children be exempted from the fees.

III. Effect of Proposed Changes:

Section 1. Section 259.032(11)(b), F.S., is amended to extend CARL TF management funding to currently-ineligible conservation and recreation lands managed by a state agency and titled to either the board of trustees or a state agency if they are contiguous to lands acquired under ss. 259.032 and 259.101, F.S. The use of funds on these lands shall not result in additional funding from the CARL TF. The bill also authorizes equipment purchased with CARL TF funds to be used on any conservation or recreation lands.

Section 2. Section 372.57(4), F.S., is amended to exempt from the recreational user permit fee, one 16-year old or younger dependent child per permittee who is hunting under the supervision of the permittee. A reference to "landowner lease fee" is changed to "recreational user permit fee," a more precise usage.

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:**

The bill exempts a 16-year old or younger dependent child from the recreational user permit fee if the child is hunting under the supervision of a permittee. Two such fees exist, at \$75.00 and \$125.00. According to the GFWFC, no permits have been sold to minor dependent children of permittees.

B. Private Sector Impact:

The extension of management funds to the three WMAs could benefit hunters, if wildlife values are enhanced.

Sixteen year old or younger dependent children who hunt on certain private lands for which a recreational user permit fee has been established will be exempt from the fees, if hunting under the supervision of a permittee. Only two such fees have been established, at \$75.00 and \$125.00. A landowner participating in the program would not receive permit fee revenues from such activity.

C. Government Sector Impact:

Although the GFWFC would suffer the loss of the \$25 administrative fee it charges for each permit, this should be a minor impact. To date, no permits have been issued to 16-year old or younger dependent children of a permittee.

The ability to use equipment purchased with CARL TF funds on any conservation and recreation lands could benefit managing agencies by reducing the need for additional equipment on ineligible lands. The extension of management funding to three WMAs could provide significant new funding for more than 140,000 acres, although any funds used on newly-eligible lands would not be available for currently-eligible lands.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.