

# 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: SB 2222

SPONSOR: Senator Burt

SUBJECT: Manatees

DATE: April 19, 2000

REVISED: 04/25/00 \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Gee</u>	<u>Voigt</u>	<u>NR</u>	<u>Fav/1 amendment</u>
2.	_____	_____	<u>FR</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## I. Summary:

This bill revises the criteria for reimbursement and provides an additional source of funds for manatee rehabilitation.

This bill amends s. 370.12 of the Florida Statutes.

## II. Present Situation:

Manatees are marine mammals that can be found in Florida's coastal and riverine waters throughout the year. The Florida manatee is listed as an endangered species. Protection of manatees in Florida has been legislatively mandated since 1892. Current state efforts to recover the population are guided by the Florida Manatee Sanctuary Act of 1978 and the federally-approved Florida Manatee Recovery Plan of 1995. The Florida Manatee Sanctuary Act declared the state to be a refuge and sanctuary for the manatee and subsequent amendments have given the Florida Fish and Wildlife Conservation Commission (FWC) a wide range of responsibilities. The Recovery Plan lists 126 separate tasks that need to be accomplished. Many of these tasks are addressed through a cooperative effort between federal, state, and local governments. Manatees face a variety of threats including deaths from human-related causes (collisions with watercraft, crushings in water control gates and locks, and entanglements in fishing gear), as well as destruction and degradation of their habitat. Manatees have also died as a result of exposure to harmful algal blooms, the effects of cold water, and natural disease.

Funding for the State's research and management activities is provided primarily from the Save the Manatee Trust Fund, which receives money from sales of a manatee license plate, boat registration fees, decal sales, voluntary contributions, and interest income. Revenues for the Save the Manatee Trust Fund for Fiscal Year 1998-99 totaled \$3,498,009. The 1998-99 legislature appropriated \$5,202,217 for manatee and marine mammal research and management programs within the Fish and Wildlife Conservation Commission's (FWC's) Division of Marine Resources, contracts to non-governmental research organizations, to oceanaria participating in

the rescue and rehabilitation of manatees, and to a private educational facility. Estimated expenditures for research activities, coordinated by the Division's Florida Marine Research Institute (FMRI) in St. Petersburg, totaled \$2,032,471. Estimated expenditures for management activities, conducted by the Division's Bureau of Protected Species Management (BPSM), and general overhead totaled \$2,366,109. Environmental education programs were funded through a \$499,500 appropriation to the Florida Game and Fresh Water Fish Commission (Now the FWC).

There are currently three institutions that receive funding for participating in the rescue and rehabilitation of manatees. In 1998-1999, the Lowry Park Zoo received \$150,000, the Miami Seaquarium received \$86,424, and Seaworld of Florida received \$163,515. Such payments are based on the number of manatees under acute care rehabilitation and those released during the previous fiscal year. However the reimbursement may not exceed the total amount available from voluntary contributions pursuant to s. 328.72(11), F.S., and the \$.50 per vessel registration raised pursuant to s. 328.76(1)(b), F.S. The FWC reports that these sources produce approximately \$400,000 annually.

### **III. Effect of Proposed Changes:**

This bill revises the formula for the distribution of funds to facilities involved in manatee rescue and rehabilitation, by adding as a factor the number of maintenance days manatees reside in the facility. The bill deletes the provision limiting reimbursement for these activities to the amounts available pursuant to s. 328.72(11), F.S., and s. 328.76(1)(b), F.S. Instead, the reimbursement amounts available to be distributed if needed are the total amount available under s. 328.72(11), F.S., s. 328.76(1)(b), F.S., and 25 percent of the total amount of annual user fees from the manatee license plates provided for in s. 320.08058(1), F.S. If these funds are not distributed in any one year, they must be carried over for distribution in subsequent years.

The act will take effect July 1, 2000.

### **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 FWC estimates that rescue and rehabilitation facilities could receive an estimated additional \$500,000 annually, depending on the number of manatees being rehabilitated, the number of maintenance days in the facility and the number of manatees released. Since the facilities currently expend more than \$1 million annually, the FWC probably would have to distribute the entire amount available each year.

**C. Government Sector Impact:**

The Save the Manatee Trust Fund would probably be reduced by \$500,000 annually in payments to eligible rescue and rehabilitation facilities. These funds currently are used for research and other activities to benefit manatees in the wild.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The Senate Appropriations Bill currently includes proviso language that would redirect current expenditures from the Save the Manatee Trust Fund as follows: one third to the care of marine mammals at licensed research facilities, one third to veterinary training in the care of marine mammals, and one third for the FWC's operational costs. The FWC reports that the proviso language, when combined with the fiscal impacts of SB 2222, would have very significant impacts on its current programs.

**VIII. Amendments:**

#1 by Natural Resources:

A new subsection (3) is added to s. 370.0603, F.S., to specify the uses of the annual \$2 million funding pursuant to s. 201.15(9), F.S., as follows:

- To reimburse the cost of activities authorized pursuant to the Fish and Wildlife Service of the United States Department of the Interior. Such facilities must be involved in the actual rescue and full-time acute care veterinarian-based rehabilitation of manatees. The cost of activities includes, but is not limited to, costs associated with expansion, capital outlay, repair, maintenance, and operation related to the rescue, treatment, stabilization, maintenance, release, and monitoring of manatees. Moneys distributed through the contractual agreement to each facility for manatee rehabilitation must be proportionate to the number of manatees

under acute care rehabilitation and those released during the previous fiscal year. The FWC may set a cap on the total amount reimbursed per manatee per year.

- For training on the care, treatment, and rehabilitation of marine mammals at the Whitney Laboratory and the Veterinary School of Medicine at the University of Florida.
- For program administration costs of the agency.
- Funds not distributed in any one fiscal year must be carried over for distribution in subsequent years.

Provisions dividing the amount of voluntary contributions between general uses for the benefit of manatees pursuant to s. 370.12(4)(a), F.S., and rescue and rehabilitation efforts pursuant to s. 370.12(4)(b), F.S., are revised to permit voluntary contributions to be used for the full purposes of s. 370.12(4), F.S., and provisions directing \$.50 per vessel registration to rescue and rehabilitation efforts are revised to fund the purposes of s. 370.12(4)(a), F.S.

For Fiscal Year 2000-2001 the \$2 million is to be used as follows:

- \$810,000 for training in the care of marine mammals at the Whitney Laboratory and the Veterinary School of Medicine at the University of Florida.
- Up to \$1,150,000 for the care of marine mammals at licensed research facilities pursuant to s. 370.0603(3), F.S.
- Up to \$40,000 for program administration. (WITH TITLE AMENDMENT)