

STORAGE NAME: h1715.frc
DATE: March 22, 2001

HOUSE OF REPRESENTATIVES
FISCAL RESPONSIBILITY COUNCIL
ANALYSIS

BILL #: HB 1715
RELATING TO: Recreational User Permit Fee
SPONSOR(S): Fiscal Responsibility Council and Representative Dockery

TIED BILL(S):

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

- (1) FISCAL RESPONSIBILITY COUNCIL YEAS 20 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

This bill amends s. 372.57(4)(b), F. S., to remove a state subsidy for leasing private property as a wildlife management area for public use in the Fish and Wildlife Conservation Commission (FWCC).

The changes reflect budget reductions contained within the House Appropriations bill and reduced spending of \$379,568 in General Revenue in FWCC.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

In an effort to slow the loss of privately-owned lands from the FWCC's Wildlife Management Area (WMA) system, the 1998 Florida Legislature adopted revisions to s. 372.57, F.S., which created a new paradigm for inclusion of lands in the WMA system. That new paradigm, termed User Pay, authorized the Commission to charge a special recreational use permit fee for hunting, fishing, or other outdoor recreational use of lands leased from private non-governmental landowners under a program to be established under the umbrella of the existing Type I WMA program. Proceeds from the sale of such permits, less a \$25 administration fee, are subsequently directed to the landowner as compensation for making his land available for this public purpose. The legislation further required that the FWCC make an additional supplementary payment to owners of lands included in the User Pay program which had been previously included in the WMA program under the pre-existing Landowner Payment program. The statute specifically provides that private property leased by the Commission under the Landowner Payment program and subsequently converted to the User Pay program is eligible for a continuing supplementary payment equal to the FWCC's lease payment in the final year of participation under the Landowner Payment program. The statute requires the FWCC to make such payment to landowners in addition to the fees collected from the sale of the recreational use permit as described above.

C. EFFECT OF PROPOSED CHANGES:

The bill amends s. 372.57(4)(b)2, F. S., to eliminate the provision requiring that the prior year's landowner payment amount be used to defray cost of individual user permits on areas that convert to a recreational user permit area (user pay area). The effect is to eliminate a state subsidy for leasing property for public use which will shift the full cost of the lease to area users. It also provides an effective date of July 1, 2001.

D. SECTION-BY-SECTION ANALYSIS:

See the Effects of Proposed Changes section of the analysis.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures: FY 2001-02

Wildlife Mgt Area User Pay (379,568)

Total General Revenue (379,568)

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

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

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require municipalities or counties to spend money.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

None

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

None

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

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B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None

VII. SIGNATURES:

FISCAL RESPONSIBILITY COUNCIL:

Prepared by:

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