

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 131 State Symbols

SPONSOR(S): Economic Expansion & Infrastructure Council, Attkisson

TIED BILLS: **IDEN./SIM. BILLS:** SB 230

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Tourism & Trade</u>	<u>6 Y, 0 N</u>	<u>McGill</u>	<u>Hoagland</u>
2) <u>Economic Expansion & Infrastructure Council</u>	<u>14 Y, 0 N, As CS</u>	<u>McGill</u>	<u>Tinker</u>
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

HB 131 designates the Florida Cracker Horse as the official state horse, the Brown Pelican as the official coastal/aquatic bird, the Loggerhead Turtle as the official state water reptile, and the Gopher Frog as the official state amphibian. Current law provides 34 state designations (i.e., animal, beverage, shell, stone, butterfly, etc.); however, Florida does not have a state designated horse, coastal/aquatic bird, water reptile or amphibian. A repeal date of July 1, 2018 is provided, unless reviewed and reenacted by the legislature before that date.

This bill takes effect July 1, 2008.

This bill does not appear to have a fiscal impact on state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

This bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Current Situation

Chapter 15, F.S., designates 34 official state symbols including an official state animal, butterfly and reptile¹. Chapter 15 does not contain a designation for an official state horse, official state coastal/aquatic bird, official state water reptile or official state amphibian.

Cracker Horse

The Florida Cracker Horse's history in Florida dates back to the 1500s when its ancestors were imported by Spanish explorers. The explorers brought horses that carried the genes of the North African Barb, Spanish Sorraia, and Spanish Jennet. These animals spread throughout the region and developed into the modern breed of the Florida Cracker Horse. By the 18th and 19th centuries cattle ranching had become big business in Florida, and the Cracker Horse was a popular choice among farmers and cattlemen².

The Cracker Horse population became endangered in the 20th Century as a result of methods used to eliminate the fever tick, and the trend of using larger horses by ranchers. In 1930, John Law Ayers, a prominent rancher and state politician caught a group of wild cracker horses and provided for the continuation of the breed. Along with his efforts and the efforts of other families the Cracker Horse survived.

The names of these families now represent the lineages of the Cracker Horses: Ayers, Harvey, Bronson, Matchett, Partin, and Whaley. The three main lines left are: Ayers, Harvey, and Bronson. There are currently 800 registered Cracker Horses. Cracker Horses are described as between 13.2 and 15.2 hands high at the withers and weighing between 700 and 1000 pounds. The neck is well defined with a narrow chest. Solid colors and greys are very common. The hooves are tough and handle marshy areas well, because of this the breed is known as a Marshtackie in the Carolinas³.

Brown Pelican

The brown pelican, also called American brown pelican or common pelican, inhabits the Atlantic, Pacific, and Gulf Coasts of North and South America. On the Gulf Coast, the species is found in

¹ These are: the state motto, seal, flag, fruit, tree, beverage, citrus archive, shell, stone, gem, wildflower, play, animal, freshwater fish, saltwater fish, marine mammal, saltwater mammal, butterfly, reptile, air fair, rodeo, festival, moving image center and archive, litter control symbol, pageant, opera program, renaissance festival, railroad museums, transportation museum, soil, fiddle contest, band, Sports Hall of Fame, pie, and maritime museum.

² <http://www.ecmagazine.net/spring07/floridacrackerhorse.htm>

³ <http://www.ecmagazine.net/spring07/floridacrackerhorse.htm>

Florida, Alabama, Louisiana, Texas, Mississippi, and Mexico. The birds are fairly common inland at the Salton Sea in California, lakes in Florida, and bodies of water in southeast Arizona⁴.

The Brown Pelican measures up to 54 inches long, weighs 8 to 10 pounds, and has a wingspan between 6-1/2 feet and 7-1/2 feet. It has a brown and gray body and a white head with a light brown crown. The brown pelican is a plunge diver. It drops from the air with its wings partly folded and dives into the water to catch its prey. The brown pelican eats menhaden, herring, mullet, sheepshead, silversides and other fish⁵.

Loggerhead Turtle

The Loggerhead sea turtle inhabits the temperate and tropical regions of the Atlantic, Pacific, and Indian Oceans. Adults grow to an average weight of about 200 pounds. The loggerhead is characterized by a large head with blunt jaws. The top shell and flippers are a reddish-brown color; the underside is yellow⁶.

The loggerhead turtle feeds on mollusks, crustaceans, fish, and other marine animals. The United States nesting season extends from about May through August with nesting occurring primarily at night⁷. The major nesting concentration in the United States is found in South Florida. The species has been on the threatened species list since 1978.

Gopher Frog

The gopher frog is a stout-bodied frog from two to four inches long found throughout most of the Florida peninsula. They are cream- to brown- colored, with irregular dark spots on their backs and sides⁸. Gopher frogs will travel great distances, as much as a mile or more, to breed in temporary ponds year-round, laying eggs in shallow water. As adults, they hop into surrounding uplands, where they find a home in the active burrow of a gopher tortoise. Because of habitat destruction, the gopher frog is very rare in its traditional southern range. It is listed as a species of special concern in Florida.

Proposed Changes

The bill designates the Florida Cracker Horse (Marshtackie) as the official state horse, the Brown Pelican as the official state coastal/aquatic bird, the Loggerhead Turtle as the official state salt water reptile, and the Gopher Frog as the official state amphibian. A repeal date of July 1, 2018 is provided for all designations

C. SECTION DIRECTORY:

Section 1 creates s. 15.0526 F.S., designating the Florida Cracker Horse as the official state horse and provides a repeal date of July 1, 2018.

Section 2 creates s.15.0382 F.S., designating the Brown Pelican as the official state coastal/ aquatic bird and provides a repeal date of July 1, 2018.

⁴ http://www.fws.gov/species/species_accounts/bio_plcn.html

⁵ http://www.fws.gov/species/species_accounts/bio_plcn.html

⁶ <http://www.fws.gov/northflorida/SeaTurtles/Turtle%20Factsheets/loggerhead-sea-turtle.htm>

⁷ <http://www.fws.gov/northflorida/SeaTurtles/Turtle%20Factsheets/loggerhead-sea-turtle.htm>

⁸ <http://myfwc.com/Viewing/species/gopherfrog.htm>

Section 3 creates s.15.0386 F.S., designating the Loggerhead Turtle as the official state salt water reptile and provides a repeal date of July 1, 2018.

Section 4 creates s.15.0387 F.S., designating the Gopher Frog as the official state amphibian and provides a repeal date of July 1, 2018.

Section 5 provides the bill will take effect July 1, 2008.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill does not create, modify, amend, or eliminate a state revenue source.

2. Expenditures:

This bill does not create, modify, amend, or eliminate state expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None. This bill does not create, modify, amend, or eliminate a local revenue source.

2. Expenditures:

None. This bill does not create, modify, amend, or eliminate a local expenditure.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

None.

3. RULE-MAKING AUTHORITY:

None.

4. DRAFTING ISSUES OR OTHER COMMENTS:

None.

5. STATEMENT OF THE SPONSOR

None.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On April 18, 2008, the Economic Expansion and Infrastructure Council adopted an amendment that added the following designations:

- The Brown Pelican, as the official state coastal/aquatic bird;
- The Loggerhead Turtle as the official state water reptile;
- The Gopher Frog as the official state amphibian.