

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: SB 850

INTRODUCER: Senator Hays

SUBJECT: State Forests

DATE: March 28, 2011                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Fleming</u>	<u>Carter</u>	<u>MS</u>	<b>Favorable</b>
2.	<u>Wiggins</u>	<u>Yeatman</u>	<u>EP</u>	<b>Pre-meeting</b>
3.	_____	_____	<u>BC</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This bill requires the Division of Forestry (division) of the Department of Agriculture and Consumer Services (DACS) to designate “Wounded Warrior special hunt areas” on state forest lands and provide hunt areas for disabled veterans.

This bill substantially amends s. 589.19 of the Florida Statutes.

**II. Present Situation:**

The division within DACS manages and administers all state forests in the interests of the public.<sup>1</sup> The division is authorized to direct multiple-use management of forest lands owned by the state. Such use includes, but is not limited to, water-resource protection, forest-ecosystems protection, natural-resource-based low-impact recreation, and sustainable timber management for forest products.<sup>2</sup> Furthermore, the division cooperates with federal, state, and local government agencies, non-profit organizations, and other persons to apply for, solicit, and receive grants and funds from those agencies, organizations, firms and individuals.<sup>3</sup>

There are 35 state forests in Florida, totaling more than 1,052,000 acres.<sup>4</sup> Under the direction of the Fish and Wildlife Conservation Commission, many state forests are open to regulated

<sup>1</sup> s. 589.21, F.S.

<sup>2</sup> s. 589.04(4), F.S.

<sup>3</sup> s. 589.04(1)(B), F.S.

<sup>4</sup> *State Forests in Florida*, DIVISION OF FORESTRY, [http://www.fl-dof.com/state\\_forests/#history](http://www.fl-dof.com/state_forests/#history) (last visited March 21, 2011).

hunting and fishing.<sup>5</sup> Hunting requires a license and a permit and is allowed only in designated Wildlife Management Areas (WMAs) during specific seasons.<sup>6</sup> Fishing also requires a valid license.<sup>7</sup>

A veteran is defined in s. 1.01, F.S., as a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions.<sup>8</sup> Peacetime service means Army, Navy, Marines, Coast Guard, or Air Force service that is not during a wartime era as defined in s. 1.01(14).<sup>9</sup> Additionally, the veteran must have a service-connected disability as determined by the United States Department of Veterans Affairs or has been discharged or released from military service because of a disability incurred or aggravated in the line of duty. According to the FWC, the definition for mobility impaired includes the following:

- paraplegic,
- hemiplegic;
- quadriplegic;
- permanently dependent upon a wheelchair for ambulation;
- permanently required to use assisting aids to walk;
- permanently required to use braces or prostheses on both legs;
- single-leg above the knee amputation, and
- other injuries that the Office of Veterans Affairs has identified as mobility impaired.<sup>10</sup>

Non-profit organizations such as Wounded Warrior Outdoors, Inc.<sup>11</sup> and Wounded Warriors In Action<sup>12</sup> provide wounded servicemen and servicewomen with opportunities for outdoor recreational activities. In the past, such activities have included hunting and fishing excursions in various parts of the country. The organizations assert that such activities are therapeutic and an important part of physical and mental recovery. The funding required for specialized accommodations will be provided through the Friends of Florida State Forests Program (FFSF). The FFSF described in s.589.012, F.S., was established within DACS and its purpose is to provide support and assistance for existing and future programs of the division. These programs must be consistent with the division's mission statement. The purpose of the program is to:

- conduct programs and activities related to environmental education, fire prevention, recreation, and forest management,
- identify and pursue methods to provide resources and materials for these programs; and;

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<sup>5</sup> *State Forest Recreation*, DIVISION OF FORESTRY, [http://www.fl-dof.com/forest\\_recreation/index.html](http://www.fl-dof.com/forest_recreation/index.html) (last visited March 21, 2011).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> s. 1.01(14), F.S.

<sup>9</sup> s. 296.02(7), F.S.

<sup>10</sup> Florida Fish and Wildlife Conservation Commission Analysis, *Senate Bill 850* (March 4, 2011) (on file with the Senate Committee on Environmental Preservation and Conservation).

<sup>11</sup> ABOUT WWO INC., <http://www.woundedwarrioroutdoors.com/about.html> (last visited March 21, 2011).

<sup>12</sup> ABOUT WWIA, <http://www.woundedwarriorsinaction.org/about.html> (last visited March 21, 2011).

- establish a statewide method to integrate these resources and materials.<sup>13</sup>

Currently, the division provides a hunting area in Lake Wales Ridge State Forest for a nearby “Wounded Warrior” organization. The hunts typically last for a weekend or several days and include special accommodations as needed by the wounded warriors, such as turkey blinds with space for operation of a motorized wheelchair.

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

This bill amends s. 589.19, F.S., to require the division to designate “Wounded Warrior special hunt areas” on state forest lands to provide hunt areas for disabled veterans. The general statewide hunting regulations will apply to these special hunt areas. A person is eligible to hunt in a Wounded Warrior special hunt area if he or she is a veteran as defined in s. 1.01, F.S., or has eligible peacetime service, as defined in s. 296.02, F.S., and has a service-connected disability as determined by the United States Department of Veterans Affairs or has been discharged or released from military service because of a disability incurred or aggravated in the line of duty. In addition, persons required to assist the veteran because of his or her disability are authorized to use such areas.

This bill provides that the funding required for specialized accommodations shall be provided through FFSF created in s. 589.012, F.S. FFSF is a charitable not-for-profit corporation that supports programs within Florida's state forests and is governed by a board of directors representing all areas of the state.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

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<sup>13</sup> s. 589.012, F.S.

**B. Private Sector Impact:**

Friends of Florida State Forests would fund specialized accommodations needed in the Wounded Warrior special hunt areas.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.