

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 Committee on Environmental Preservation and Conservation

BILL: SB 1484

INTRODUCER: Senator Sobel

SUBJECT: State Parks

DATE: March 26, 2014

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hinton	Uchino	EP	Favorable
2.			HP	
3.			AP	

I. Summary:

SB 1484 requires certified lifeguards to be on duty at designated swimming areas of a state park during peak usage days or if the park is open on a state holiday.

II. Present Situation:

Florida's Parks

The Florida Park Service was created by the Legislature under the Florida Board of Forestry in 1935. It was provided with a \$25,000 per year appropriation and it established the first state parks in Florida, which were:

- Myakka River State Park;
- Hillsborough River State Park;
- Torreya State Park; and
- Gold Head Branch State Park.¹

Florida Parks now include 171 award-winning state park and trail properties. From July 1, 2012, to June 30, 2013,² there were more than 25 million visitors to Florida's parks, resulting in an economic impact of \$1.11 billion.³ The Florida State Parks System recently won an unprecedented third National Gold Medal Award for Excellence. The award is presented by the National Recreation and Park Association to communities that demonstrate excellence in long-

¹ Florida Park Service, *Florida State Parks 75th Anniversary 1935-2010*, <http://www.floridastateparks.org/history/timeline.cfm> (last accessed Mar. 21, 2014).

² Florida Park Service, *About Florida State Parks and Trails*, <http://www.floridastateparks.org/resources/aboutus.cfm> (last visited Mar. 23, 2014).

³ *Id.*

range planning, resource management and administering a complex system of state parks. No other park service in the nation has won the award more than once.⁴

The park system is divided into five regions.⁵ Peak visitation periods for each region are:

- Northwest – summer;
- Northeast – summer and spring;
- Central – summer and spring;
- Southwest – fall; and
- Southeast – summer, winter, and spring.⁶

These peak periods are generalizations. Different parks within each region may have peak visitation periods that do not conform with general peak visitation periods for each region.

According to the Florida Park Service, there are 65 parks in the state that offer swimming opportunities;⁷ however, not all parks station lifeguards at designated swimming areas. For example, Anastasia State Park, in St. Augustine, offers swimming in a designated area with lifeguards from Memorial Day through Labor Day.⁸ In contrast, Madison Blue Spring State Park allows swimming at the spring area during clear water conditions, but lifeguards are not provided.⁹

Lifeguard certification

Section 514.071, F.S., sets requirements for the certification of lifeguards and swimming instructors in Florida. A lifeguard certified in Florida must be certified by the American Red Cross, the Y.M.C.A., or by some other nationally recognized aquatic training program. Lifeguards must also be certified in lifeguarding, first aid and cardiopulmonary resuscitation.

State Holidays

The Florida Department of Management Services lists nine official state holidays for the State of Florida. For 2014, they are:

- New Year's Day;
- Martin Luther King Day;
- Memorial Day;
- Independence Day;

⁴ Press Release, The Office of the Governor, *Florida State Parks System Wins Third Gold Medal in Parks and Recreation*, <http://www.flgov.com/florida-state-parks-system-wins-third-gold-medal-in-parks-and-recreation-2/> (last visited Mar. 24, 2014).

⁵ Florida Parks Service, *State Parks Map*, <http://www.floridastateparks.org/findapark/stateparksmap.cfm> (last visited Mar. 24, 2014).

⁶ E-mail from Jerri H. French, Program Coordinator for the Division of Recreation and Parks (Mar. 24, 2014) (on file with the Senate Committee on Environmental Preservation and Conservation).

⁷ Florida Park Service, *Activities*, <http://www.floridastateparks.org/thingstodo/activities.cfm?activity=39#activity39> (last visited Mar. 23, 2014).

⁸ Florida Park Service, *Activities at Anastasia State Park*, <http://www.floridastateparks.org/anastasia/activities.cfm#39> (last visited Mar. 23, 2014).

⁹ Florida Park Service, *Activities at Madison Blue Spring State Park*, <http://www.floridastateparks.org/madisonbluespring/activities.cfm#39> (last visited Mar. 23, 2014).

- Veteran’s Day;
- Thanksgiving Day;
- Friday after Thanksgiving; and
- Christmas Day.¹⁰

III. Effect of Proposed Changes:

The bill creates the “Safety First Act.” It requires certified lifeguards to be on duty during state holidays when parks with designated swimming areas are open. It also directs that lifeguards should be on duty during peak visitation hours. Lastly, the bill provides an effective date of July 1, 2014.

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.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The DEP estimates that the total cost for equipment is \$89,600. The estimated total annual cost for labor is \$766,080.

VI. Technical Deficiencies:

None.

¹⁰ Department of Management Services, *2014 State Holidays*, http://www.dms.myflorida.com/workforce_operations/human_resource_management/for_state_hr_practitioners/2014_state_holidays (last visited Mar 23, 2014).

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 258.018 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
