

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 Appropriations Subcommittee on General Government

BILL: CS/SB 570

INTRODUCER: Environmental Preservation and Conservation Committee and Senator Dean

SUBJECT: State Park Entrance Fee Holiday

DATE: January 20, 2016 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Istler	Rogers	EP	Fav/CS
2.	Howard	DeLoach	AGG	Pre-meeting
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 570 creates a state park entrance fee holiday in order to encourage the use and enjoyment of Florida's state parks. The bill prohibits the Department of Environmental Protection (DEP) from charging day use entrance fees for a 12-month period beginning July 1, 2016, at all state parks, except at the Skyway Fishing Pier State Park, the Ellie Schiller Homosassa Springs Wildlife State Park, or the Weeki Wachee Springs State Park.

The bill is estimated to have a total negative fiscal impact of \$29.7 million, as determined by the Revenue Estimating Conference. This includes a loss of \$27.3 million in the State Park Trust Fund within the DEP and a loss of \$2.4 million in the General Revenue Fund.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

Florida's state park system was created in 1935 when the Legislature enacted a series of laws authorizing the Florida Board of Forestry to establish a Florida Park Service and to develop and maintain a system of state parks.¹ Today, the Division of Recreation and Parks (division) within the Department of Environmental Protection (DEP) has the duty to supervise, administer,

¹ Florida Park Service Alumni Association, *Florida State Park History*, <http://fpsaa.org/traditions/fps-history> (last visited Nov. 12, 2015).

regulate, and control the operation of all public parks owned by the state,² which includes 163 state parks and 11 state trails and spans over nearly 800,000 acres, 100 miles of beaches, and more than 1,500 miles of multi-use trails.³

The National Recreation and Park Association annually honors state park systems that demonstrate excellence in long-range planning and resource management and, in 2013, Florida became the first three-time National Recreation and Park Association Gold Medal award winner.⁴ It is the policy of the division to promote the state park system for the use, enjoyment, and benefit of the people and visitors of Florida.⁵ The total attendance for the 2014-2015 fiscal year was 31,108,245 visitors, which is an increase from 27.1 million visitors for the previous fiscal year.⁶

Section 258.014, F.S., authorizes the division to charge reasonable fees, rentals, or charges for the use or operation of facilities and concessions in state parks. All such fees, rentals, and charges collected must be credited to the State Park Trust Fund within the DEP. The purpose of the trust fund is for the administration, improvement, and maintenance of state parks and for the acquisition and development of lands acquired for state park purposes.⁷

The director of the division is authorized to recommend standard admission and other park fees. Admission fees can range from \$1.00-\$13.00 based upon factors such as user demand, the location of the park, the cost of managing and operating the park, the type of facilities available, the season, and the natural and historic resource values of the park.⁸ The total revenue generated from the state parks for the 2014-2015 fiscal year was \$64,212,331,⁹ of that total approximately \$23.7 million was generated from state park entrance fees.¹⁰

The division is authorized to issue annual entrance passes allowing park entrance in lieu of the daily entrance fee. These passes are available for individuals or families. In Fiscal Year 2014-2015, more than 47,000 annual passes were purchased, that produced approximately \$3.5 million in revenue.¹¹

² Section 258.004, F.S.

³ DEP, Division of Recreation and Parks, *Program at a Glance*, <http://www.dep.state.fl.us/mainpage/programs/parks.htm> (last visited Nov. 12, 2015).

⁴ DEP, *About Florida State Parks*, <http://www.dep.state.fl.us/parks/> (last visited Nov. 12, 2015).

⁵ Section 258.037, F.S.

⁶ DEP, *Long Range Program Plan* (Fiscal Years: 2016-2016 through 2020-2021), pg. 51, available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=13551&DocType=PDF>.

⁷ Section 258.014(1), F.S.

⁸ Fla. Admin. Code R. 62D-2.014(2)(c). See DEP, *Florida State Parks Fee Schedule*, available at <https://www.floridastateparks.org/sites/default/files/Division%20of%20Recreation%20and%20Parks/documents/FPSFeeSchedule.pdf>.

⁹ DEP, *Long Range Program Plan* at 51.

¹⁰ DEP, *Senate Bill 570 Agency Legislative Bill Analysis* (Nov. 12, 2015) (on file with the Senate Committee on Environmental Preservation and Conservation).

¹¹ DEP Legislative Bill Analysis for SB 570, November 12, 2015 (on file with Appropriations Subcommittee on General Government) page 2.

Each state park has a unit management plan based on statewide resource management goals and recreational needs which is updated every ten years.¹² To ensure that opportunities for quality outdoor recreation experiences are provided while preserving the unique natural areas of the state, the division has established carrying capacity guidelines.¹³ The established optimum carrying capacity is included in each park unit management plan.¹⁴ The division is authorized to close any park or section of a park to the public at any time or for any interval of time, including when carrying capacities are reached, to provide visitor and employee safety, resource protection, operational efficiency, and facility maintenance.¹⁵ Additionally, authorized law enforcement officers and park personnel are required to direct traffic in parks and on roads adjacent to parks as conditions warrant.¹⁶

III. Effect of Proposed Changes:

CS/SB 570 creates a state park entrance fee holiday of one year. The bill prohibits the DEP from charging day use entrance fees at state parks for a 12-month period beginning July 1, 2016. The bill requires the division to ensure that each state park closes once its carrying capacity, as set forth in its unit management plan, is reached.

The bill clarifies that the state park entrance fee holiday does not apply to fees for the use of facilities, campgrounds, or equipment or fees for concessions, entertainment, or guided tours at any state park.

The bill does not apply to the Skyway Fishing Pier State Park, the Ellie Schiller Homosassa Springs Wildlife State Park, and the Weeki Wachee Springs State Park.

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹² DEP, The Office of Park Planning - Park Management Plans, <http://www.dep.state.fl.us/parks/planning/plans.htm> (last visited Nov. 16, 2015).

¹³ DEP, *Visitor Carrying Capacity Guidelines*, <http://www.dep.state.fl.us/parks/planning/forms/CarryingCapacityGuidelines.pdf> (last visited Nov. 16, 2015).

¹⁴ *Id.*

¹⁵ Fla. Admin. Code R. 62D-2.014(16)(b).

¹⁶ Fla. Admin. Code R. 62D-2.014(3).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

If the fee holiday results in increased visitation at state parks, privately owned concession and rental operations would potentially see an increase in business which would have a positive fiscal impact on the private sector.

C. Government Sector Impact:

CS/SB 570 prohibits the division from charging day use entrance fees and will have a negative impact on state park revenues. On December 4, 2015, the Revenue Estimating Conference projected a loss of \$29.7 million for the 2016-2017 fiscal year. This includes a loss of \$27.3 million in entrance fees that are deposited into the State Park Trust Fund within the DEP. The cash balance within the State Park Trust Fund is insufficient to offset this loss in revenue. In addition, a loss of \$2.4 million in the General Revenue Fund related to sales and use tax revenues and the General Revenue Service Charge.

Individuals who have purchased annual entrance passes may request refunds for any period that falls within the fee holiday that would have an additional negative fiscal impact to the State Park Trust Fund. This impact is indeterminate.

The fee holiday may increase visitation which could potentially increase other types of park revenue, such as entertainment, guided tours, and equipment rentals. This positive fiscal impact is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida law.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environmental Preservation and Conservation on November 18, 2015:

The CS requires the division to ensure that each state park closes once it carrying capacity is reached.

- B. **Amendments:**

None.