

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 155 State Symbols
SPONSOR(S): Magar and others
TIED BILLS: IDEN./SIM. **BILLS:** SB 404

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Oversight, Transparency & Administration Subcommittee	12 Y, 0 N	Hoffman	Harrington
2) Government Accountability Committee	19 Y, 0 N	Hoffman	Williamson

SUMMARY ANALYSIS

The Legislature has designated various state emblems, including designating a state seal, motto, fruit, beverage, saltwater reptile, and horse. In 2008, the Legislature designated the Loggerhead Turtle as the official state saltwater reptile and the Florida Cracker Horse as the official state horse. Each of these designations is scheduled to repeal on July 1, 2018, unless the Legislature reviews and reenacts the designations before that date. There is no animal designated as the official state heritage cattle breed.

This bill removes the scheduled repeal of the Loggerhead Turtle as the official state saltwater reptile and the scheduled repeal of the Florida Cracker Horse as the official state horse. As such, if the bill passes, these animals will remain designated state symbols. In addition, the bill designates the Florida Cracker Cattle as the official state heritage cattle breed.

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

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Chapter 15, F.S., designates official state emblems. To date, there are designations for an official state seal, motto, tree, fruit, beverage, citrus archive, anthem, song, shell, stone, gem, wildflower, play, animal, freshwater fish, saltwater fish, marine mammal, saltwater mammal, butterfly, reptile, saltwater reptile, tortoise, air fair, rodeo, festival, moving image center and archive, litter control symbol, pageant, opera, renaissance festival, railroad museums, transportation museum, flagship, soil, fiddle contest, band, sports hall of fame, pie, honey, and horse.¹

In 2008, the Legislature designated the Loggerhead Turtle as the official state saltwater reptile and the Florida Cracker Horse as the official state horse.² Each of these designations is scheduled to repeal on July 1, 2018, unless the Legislature reviews and reenacts the designations before that date.³ There is no animal designated as the official state heritage cattle breed.

Loggerhead Turtle

The Loggerhead sea turtle inhabits the temperate and tropical regions of the Atlantic, Pacific, and Indian Oceans.⁴ Adults grow to an average weight of about 200 pounds.⁵ The loggerhead is characterized by a large head with blunt jaws.⁶ The top shell and flippers are a reddish-brown color; the underside is yellow.⁷

The loggerhead turtle feeds on mollusks, crustaceans, fish, and other marine animals.⁸ The United States nesting season extends from about May through August with nesting occurring primarily at night.⁹ The major nesting concentration in the United States is found in South Florida.¹⁰ The species has been on the threatened species list since 1978.¹¹

Cracker Horse

The Florida Cracker Horse's history in Florida can be traced back to the 1500s when its ancestors were left behind in Florida by Spanish explorers making room on their ships for treasure collected during their explorations.¹² The explorers brought horses derived from the Iberian Horse of Sixteenth Century Spain.¹³ The horses carried the genes of the North African Barb, Spanish Sorraia, and Spanish Jennet (gaited).¹⁴ The horses spread throughout the region and developed into the modern breed of the Florida Cracker Horse.¹⁵ By the Eighteenth and Nineteenth centuries, cattle ranching had become big business

¹ Sections 15.03 through 15.0526, F.S.

² Sections 15.0386 and 15.0526, F.S.; ch. 2008-34, L.O.F.

³ *Id.*

⁴ U.S. FISH & WILDLIFE SERVICE, *Loggerhead Sea Turtle*,

<http://www.fws.gov/northflorida/SeaTurtles/Turtle%20Factsheets/loggerhead-sea-turtle.htm> (last visited Jan. 17, 2018).

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² THE FLORIDA CRACKER HORSE ASSOCIATION, *History of the Cracker Horse*, <http://floridacrackerhorses.com/history.htm> (last visited Jan. 17, 2018).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

in Florida, and the horse was a popular choice among farmers and cattlemen.¹⁶ The Cracker Horse gained its name from the fact that the Florida cattlemen who used the horse were called “Cracker” after the sound their whips made.¹⁷

Cracker Cattle

The Florida Cracker Cattle is one of the oldest breeds of cattle in the United States, descending from Spanish cattle brought to the new World in the early 1500s.¹⁸ This breed is unique, as it was shaped by the Florida climate and became “heat tolerant, long lived, resistant to parasites and diseases, and productive on the low quality forage found on the grasslands and in the swamps of the Deep South.”¹⁹ While the Florida Cracker cattle breed is rare, it is considered a “living part of Florida history, and herds have been maintained at several state parks and forests.”²⁰

Effect of the Bill

The bill removes the scheduled repeal date for the designation of both the Loggerhead Turtle as the official state saltwater reptile and the Florida Cracker Horse as the official state horse. As such, if the bill passes, these animals will remain designated state symbols.

The bill also designates the Florida Cracker Cattle as the official state heritage cattle breed.

B. SECTION DIRECTORY:

Section 1 amends s. 15.0386, F.S., deleting the scheduled repeal of the Loggerhead Turtle as the official state saltwater reptile.

Section 2 amends s. 15.0526, F.S., deleting the scheduled repeal of the Florida Cracker Horse as the official state horse.

Section 3 creates s. 15.0527, F.S., designating the Florida Cracker Cattle as the official Florida heritage cattle breed.

Section 4 provides an effective date of July 1, 2018.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ THE LIVESTOCK CONSERVANCY, *Florida Cracker Cattle*, <https://livestockconservancy.org/index.php/heritage/internal/florida-cracker-cattle> (last visited Jan. 17, 2018).

¹⁹ *Id.*

²⁰ *Id.*

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal government.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not appear to create a need for rulemaking or require additional rulemaking authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.