

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 95 State Parks

**SPONSOR(S):** Bembry

**TIED BILLS:** None **IDEN./SIM. BILLS:** SB 236

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture & Natural Resources Subcommittee		Cunningham	Blalock
2) Community & Military Affairs Subcommittee			
3) State Affairs Committee			

### SUMMARY ANALYSIS

The Division of Recreation and Parks (division) within the Department of Environmental Protection (department) oversees Florida's 160 state parks. The division has statutory authority<sup>1</sup> to charge reasonable fees for the use or operation of facilities and concessions in the state parks. The monies collected from these fees are deposited into the State Park Trust Fund (trust fund), which is for the administration, improvement, and maintenance of the state parks and any acquisition of lands for state park purposes.

Currently, active duty members and honorably discharged veterans of the United States Armed Forces (armed forces), National Guard, or reserve components thereof receive a twenty-five percent discount on annual entrance passes to Florida's state parks. Veterans with service-connected disabilities receive a lifetime family annual entrance pass at no charge. Surviving spouses of deceased members of the armed forces, National Guard, or reserve components thereof who have fallen in combat also receive a lifetime family annual entrance pass at no charge. Qualification for these discounts is determined by satisfactory documentation as established by the division.

The bill provides for the inclusion of parents of deceased members of the armed forces, National Guard, or reserve components thereof who have fallen in combat to receive a lifetime annual entrance pass at no charge if satisfactory documentation approved by the division is provided.

According to the division, this bill may result in an indeterminate reduction in state park revenue. However, the publicity and goodwill earned by the state is expected to result in an increased visitation, which should offset any loss of revenues.

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<sup>1</sup> Section 258.014(1), F.S.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

The Division of Recreation and Parks (division) within the Department of Environmental Protection (department) oversees Florida's 160 state parks. The division has statutory authority<sup>2</sup> to charge reasonable fees for the use or operation of facilities and concessions in the state parks. The monies collected from these fees are deposited into the State Park Trust Fund (trust fund), which is for the administration, improvement, and maintenance of the state parks and any acquisition of lands for state park purposes.

The division offers two types of annual passes; the family annual entrance pass for \$120 and the individual annual entrance pass for \$60.<sup>3</sup> Active duty members and honorably discharged veterans of the United States Armed Forces (armed forces), National Guard, or reserve components thereof receive a twenty-five percent discount on annual entrance passes to Florida's state parks. Veterans with service-connected disabilities receive a lifetime family annual entrance pass at no charge. Surviving spouses of members of the armed forces, National Guard, or reserve components thereof who have fallen in combat also receive a lifetime annual entrance pass at no charge. The division offers a discount of one-half off of the daily admission fee to Florida National Guard active members, spouses and minor children. In addition, the division offers one-half off of daily admission fees for Florida residents participating in the Food Stamp program, and one-half off the base camping fee for Florida residents 65 years and older or who are 100% disabled.

The division prescribes what constitutes satisfactory documentation to evidence eligibility.<sup>4</sup>

Satisfactory written documentation to prove eligibility for 25% discount on Annual Entrance Passes for active duty and honorably discharged veterans of the armed forces, National Guard, or reserve units thereof includes:

- Current military identification card showing the bearer as active duty, reserve, or retired member of a branch of the US Armed Forces, or
- Personal identification (i.e.: driver license, etc.) and most recent DD Form 214, Certificate of Release or Discharge from Active Duty, showing the named individual's Character of Service as Honorable; or
- Other current official documentation from the Department of Defense, Department of Homeland Security, Department of Veterans Affairs or an appropriate branch of one of those agencies, naming the bearer as active duty, reserve, veteran, or retired member of the US Armed Forces.

Satisfactory written documentation to prove eligibility the free for Life Family Annual Entrance Passes for honorably discharged U.S. veterans who have service-connected disabilities includes:

- Personal identification (i.e., driver license) and most recent DD Form 214, Certificate of Release or Discharge from Active Duty, showing the named individual's Character of Service as Honorable; or
- Other current official documentation from the Department of Defense, or one of those agencies, naming the bearer as veteran, or retired military and current official documentation from the Department of Defense, Department of Homeland Security, Department of Veterans Affairs or

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<sup>2</sup> Section 258.014(1), F.S.

<sup>3</sup> During FY 2009-10, annual entrance pass sales accounted for \$1,758,157.95 in revenues.

<sup>4</sup> <http://www.floridastateparks.org/default.cfm>

an appropriate branch of one of the those agencies, naming the bearer as having sustained a service-related disability.

Satisfactory documentation to prove eligibility for Free for Life Family Annual Entrance Passes for surviving spouses of deceased members of the armed forces, National Guard, or reserve units thereof who have fallen in combat includes:

- Personal identification (i.e.: driver license), the final DD Form 214, Certificate of Release or Discharge from Active Duty, showing the date of death as the same date as the date of separation, and marriage certificate or license, or death certificate showing the bearer as the spouse of the military member who has fallen in combat.

### **Effect of Proposed Changes**

The bill provides for the inclusion parents of deceased members of the armed forces, National Guard, and reserve components thereof who have fallen in combat to receive a lifetime annual entrance pass at no charge if a DD 1300<sup>5</sup> is provided along with proof of parenthood.

#### **B. SECTION DIRECTORY:**

**Section 1:** Amends s. 258.0145, F.S., to include parents of deceased veterans.

**Section 2:** Provides an effective date of July 1, 2011.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

##### **1. Revenues:**

This bill appears to have an indeterminate fiscal impact on state government revenues. (See "Fiscal Comments" section below.)

##### **2. Expenditures:**

None.

#### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

##### **1. Revenues:**

See "Fiscal Comments" section below.

##### **2. Expenditures:**

None.

#### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Parents of deceased members of the armed forces, National Guard, or reserve components thereof who have fallen in combat will benefit from the legislation.

#### **D. FISCAL COMMENTS:**

The Division of Recreation and Parks (division) within the Department of Environmental Protection (department) states that there will be a potential reduction in state park revenue, which is indeterminate

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<sup>5</sup> A Department of Defense Form 1300 is a report of casualty form.  
<http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd1300.pdf>

at this time. However, according to the division, the publicity and goodwill earned by the state is expected result in increased visitation, which should offset any loss of revenues.

For the most part, there would be no fiscal impact on local governments. However, according to the department's website<sup>6</sup>, some counties impose a surcharge in addition to the division's entrance fee. It is unclear whether the surcharge would be waived as well as the entrance fee. If the surcharges were waived, this may represent a potential reduction in revenue for the counties that impose the surcharge.

### **III. COMMENTS**

#### **A. CONSTITUTIONAL ISSUES:**

##### **1. Applicability of Municipality/County Mandates Provision:**

This legislation does not appear to affect county or municipal government.

##### **2. Other:**

None.

#### **B. RULE-MAKING AUTHORITY:**

None.

#### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

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<sup>6</sup> <http://www.floridastateparks.org/thingsstoknow/fees.cfm>