

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Date: March 27 1998 Revised: 04/21/98 \_\_\_\_\_

Subject: Wildlife

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Green</u>	<u>Voigt</u>	<u>NR</u>	<u>Favorable</u>
2.	<u>Keating</u>	<u>Smith</u>	<u>WM</u>	<u>Fav/2 amendments</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

**I. Summary:**

This bill establishes a separate wildlife management area program which charges a fee, designed to meet the private landowner's economic needs, for hunting and other outdoor recreation activities.

This bill amends section 372.57(4), Florida Statutes.

**II. Present Situation:**

Section 372.57, F.S., lists licensing, permit, and authorization requirements for hunting and fishing activities in Florida. Subsection (4) of s. 372.57, F.S., provides for a Florida Game & Fresh Water Fish Commission program (Type I Wildlife Management Area Program) that pays annual lease payments to private landowners for public outdoor recreational opportunities. Payments are based on man-days of public use and the acreage owned. Currently, this program for leasing privately-owned property affords the public access to lands that otherwise would be unavailable and ensures a better statewide distribution of public hunting opportunities. In addition, landowners benefit from financial incentives in the form of annual payments and are shielded from liability associated with public use. Currently, the commission's wildlife management program pays \$900,000 to 7 different corporate landowners for the use of 20 tracts of privately-owned land encompassing 850,000 acres. The average lease payment is \$1.05 per acre.

This leasing program, however, faces threats from a changing economic climate. Many landowners are turning over their leases to private hunt clubs that are willing to pay higher prices. A private hunt club can charge anywhere from a high of \$2,500 per person in South Florida to a low of \$350 in North and Northwest Florida. The practice of transferring these leases to private hunt clubs, along with a reduction in annual landowner appropriations, has increased the number of corporate participant withdrawals. Continued involvement by private landowners in this leasing

program will likely require an increase in annual lease payments. Under present budgetary constraints, a significant increase in state funds for increasing annual lease payments is unlikely.

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

This bill establishes a separate wildlife management area program. The bill requires a recreational user permit fee to hunt, fish, or otherwise use for outdoor recreational purposes, land leased by the commission from private nongovernmental owners. The fee for this permit would be based upon the economic compensation desired by the landowner, game population levels, desired hunter density, and administrative costs. The permit fee would be set by commission rule on a per-acre basis. A fixed number of permits would be available annually for each area. The Game & Fresh Water Fish Commission would sell the permits and remit all revenue derived from permit sales, less the \$25 administrative fee, to the respective landowners. The spouse and dependent children of a permittee are exempt from the permit fee when engaged in outdoor recreation activities other than hunting in the company of the permittee. Hunters who purchase a recreational user permit are entitled to hunt on any management area without paying the additional \$25 management area permit fee.

The bill shall take effect July 1 of the year in which enacted.

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

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

The provisions of this bill have no impact on municipalities and the counties under the requirements of Art. VII, s. 18 of the Florida Constitution.

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

None.

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

None.

### **V. Economic Impact and Fiscal Note:**

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

People who voluntarily visit this new category of wildlife management area for hunting would be required to pay a higher fee than historically paid for such areas which is \$25. The Game and Freshwater Fish Commission anticipates the new recreational user permit fee to be in the range of \$100 - \$200. Since the commission retains a \$25 administrative fee from each new recreational user permit fee, there would be no revenue loss to the commission.

**B. Private Sector Impact:**

While visits to some wildlife areas would be more costly, these extra costs would help assure these areas are not lost to the general public because private hunting clubs are willing to pay higher lease fees. The cost of the program would be shifted away from all Florida license buyers which currently help pay the \$900,000 appropriation for the Type I Wildlife Management Area Program to actual area users of the new program.

Landowners would benefit because the Game & Fresh Water Fish Commission would have greater flexibility to meet their financial needs. However, should landowners set a permit price that exceeds the free market, some of the permits may remain unsold and cause less than a full economic return. The program would also protect landowners from liability to the extent provided under limits set by the State.

**C. Government Sector Impact:**

The increased fees would not result in additional revenue for the commission because they only retain an administrative fee of \$25. Only minimal additional staff time would be required to execute contracts in this new program.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

#1 by Ways and Means:

Provides that on property currently in the private landowner payment program, the prior year's landowner payment shall be used to augment the landowner lease fee so as to decrease the permit fee for the users of that property.

#2 by Ways and Means:

Effective October 1, 1998, the amendment directs the Game and Fresh Water Fish Commission to transfer its ownership interest in property located at 551 N. Military Trail in West Palm Beach to the County of Palm Beach, contingent upon determination that such transfer will not result in ineligibility of future federal funds. (WITH TITLE AMENDMENT)