

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 Community Affairs

BILL: CS/CS/SB 378

INTRODUCER: Community Affairs Committee; Military and Veterans Affairs, Space, and Domestic Security Committee; and Senator Abruzzo

SUBJECT: County and Municipal Parks

DATE: March 5, 2014

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Ryon</u>	<u>Ryon</u>	<u>MS</u>	<u>Fav/CS</u>
2.	<u>White</u>	<u>Yeatman</u>	<u>CA</u>	<u>Fav/CS</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 378 requires county and municipal departments of parks and recreation to provide a full or partial discount on park entrance fees to the following individuals:

- An active duty military servicemember;
- An honorably discharged military veteran;
- An honorably discharged military veteran with a service-connected disability;
- The surviving spouse or parents of a military servicemember who died in combat; and
- The surviving spouse or parent of a law enforcement officer or a firefighter who died in the line of duty.

The bill also requires regional transportation authorities to provide disabled veterans with discounts on fares or charges.

II. Present Situation:

Veteran and Military Presence in Florida

The composition of military personnel who reside in Florida consists of the following:

- 1.6 million veterans;¹
- 249,000 veterans with a service-connected disability;²
- 56,700 active duty personnel;³
- 35,600 reservists;⁴ and
- 12,000 Florida National Guard members.⁵

After their military service, veterans may qualify for a variety of benefits administered by the U.S. Department of Veteran’s Affairs (VA), and by the State of Florida. Family members of veterans also may qualify for benefits, and for monthly VA payments as survivors of disabled or pensioned veterans.⁶

State Park Entrance Fee Discounts

The Division of Recreation and Parks (DRP) within the Department of Environmental Protection oversees Florida’s 160 state parks. The DRP offers two types of annual entrance passes: the individual annual entrance pass for \$60 and the family annual entrance pass for \$120. The DRP currently provides park entrance fee discounts pursuant to the following:⁷

- Active duty members and honorably discharged veterans of the U.S. Armed Forces, National Guard, or reserve components receive a 25 percent discount on an annual entrance pass;
- Veterans with service-connected disabilities receive a free-for-life family annual entrance pass;
- Surviving spouses and parents of deceased members of the U.S. Armed Forces, National Guard, or reserve components who have fallen in combat receive a free-for-life family annual entrance pass; and
- Surviving spouses and parents of a law enforcement officer or firefighter who died in the line of duty receive a free-for-life family annual entrance pass.

The table below reflects the application of the Florida state park entrance fee discounts provided in s. 258.0145, F.S., for fiscal year 2012-13.⁸

State Park Entrance Fee Discounts: FY 2012-13 (Pursuant to s. 258.0145, F.S.)	
Individual Entrance Pass (25% discount: active duty servicemembers and veterans)	1,115
<u>Value of Discount</u>	\$16,725
Family Annual Entrance Pass (25% discount: active duty servicemembers and veterans)	3,200

¹ Florida Department of Veterans’ Affairs, *Fast Facts*, http://floridavets.org/?page_id=50 (last visited Feb. 28, 2014).

² *Id.*

³ Data provided by Haas Center for Business Research and Economic Development at the University of West Florida.

⁴ *Id.*

⁵ Florida Department of Military Affairs, *About Us*, <http://www.floridaguard.army.mil/about-us> (last visited Feb. 28, 2014).

⁶ U.S. Dep’t of Veterans Affairs, Office of Public Affairs, *State Summary: Florida* (Nov. 2010); Florida Dep’t of Veteran’s Affairs, *Florida Veteran’s Benefits Guide* (2013), available at http://floridavets.org/?page_id=110 (last visited Mar. 5, 2014); Florida Dep’t of Revenue, *Homestead and Other Exemptions*, <http://dor.myflorida.com/dor/property/taxpayers/exemptions.html> (last visited Mar. 5, 2014).

⁷ Section 258.0145, F.S.

⁸ Data provided by Department of Environmental Protection staff on 2-12-14.

<u>Value of Discount</u>	\$96,000
Lifetime Family Annual Entrance Pass (Full discount: disabled veterans; the spouse and parents of a fallen military servicemember, law enforcement officer, or firefighter)	14,381
<u>Value of Discount</u>	\$1,725,720
Total Passes FY 12-13	18,696
<u>Total Value of Discount</u>	<u>\$1,838,445</u>

Current law does not address entrance fee discounts for county and municipal parks for current and former military personnel and their families or the families of deceased first responders. There are approximately 250 county and municipal parks and recreation agencies in Florida, each managing a number of park areas, which offer a variety of amenities.⁹

Florida Transportation Authorities and Passenger Rail Systems

Chapters 348 and 349, F.S., govern the Florida Regional Transportation Authorities. Chapter 343, F.S., provides for the creation of the South Florida Regional Transportation Authority, the Central Florida Regional Transportation Authority, the Northwest Florida Transportation Corridor Authority, and the Tampa Bay Area Regional Transportation Authority. Chapter 348, F.S., provides for the creation of the Miami-Dade Expressway Authority, the Tampa-Hillsborough County Expressway Authority, the Orlando-Orange County Expressway Authority, the Santa Rosa Bay Bridge Authority, and the Osceola County Expressway Authority. Chapter 349, F.S., establishes the Jacksonville Transportation Authority.

Tri-Rail, operated by the South Florida Regional Transportation Authority, is the only publicly funded passenger rail system in the state.¹⁰ Tri-Rail currently offers a 50 percent discount on Fare EASY Cards to persons with disabilities. A few of the acceptable forms of documentation to present at the ticket kiosk include a Disabled Veterans ID, a letter from a physician, a Drivers License indicating disability, a Medicare Card, or Social Security documentation for Disability Benefits.¹¹

III. Effect of Proposed Changes:

The bill creates sections 125.028 and 166.0447, F.S., to require county departments of parks and recreation and municipal departments of parks and recreation, respectively, to provide a partial or a full discount on park entrance fees to the following persons:

- A current member of the U.S. Armed Forces, including its reserve and National Guard components;
- An honorably discharged veteran of the U.S. Armed Forces, including its reserve and National Guard components;
- An honorably discharged veteran with a service-connected disability as determined by the U.S. Department of Veterans Affairs;

⁹ Data provided by the Florida Recreation and Parks Association, Inc., on 2-14-14.

¹⁰ South Florida Regional Transportation Authority, Overview, <http://www.sfrrta.fl.gov/overview.aspx> (last visited Mar. 5, 2014).

¹¹ Tri-Rail, *Discount Policy*, <http://www.tri-rail.com/fares/discount-policy/> (last visited Mar. 5, 2014).

- The surviving spouse and parents of a deceased member of the U.S. Armed Forces, including its reserve and National Guard components, who died in the line of duty under combat-related conditions; and
- The surviving spouse and parents of a law enforcement officer or firefighter who died in the line of duty.

The bill also defines the term “park entrance fee” to mean a fee charged to access lands managed by a county or city park or recreation department, excluding expanded amenity fees for amenities such as, campgrounds, aquatic facilities, stadiums or arenas, facility rentals, special events, boat launching, golf, zoos, museums, gardens, or programs taking place within public lands.

The bill also provides disabled veterans, as described in section 295.07(1)(a), with discounts when using a transportation system or facility owned or operated by a regional transportation authority. The regional transportation authority may offer either a full or partial discount to a disabled veteran, upon a showing of written documentation evidencing eligibility.

The bill provides an effective date of July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, section 18(b) of the Florida Constitution requires any general law that reduces a local government’s authority to raise revenues in the aggregate, to be passed by a two-thirds vote of the membership of each house of the Legislature.¹² This bill has the effect of reducing municipal and county revenues generated from park entrance fees by adding discounts for the military, their families, and the families of deceased first responders. The bill may be exempt from needing a two-thirds vote due to insignificant fiscal impact,¹³ but no fiscal impact estimate is available at this time.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

¹² FLA. CONST. art. VII, s. 18(b).

¹³ FLA. CONST. art. VII, s. 18(d). An insignificant fiscal impact means an amount not greater than ten cents times the average statewide population for the applicable fiscal year.

B. Private Sector Impact:

Current and former military personnel, spouses and parents of deceased military servicemembers who have fallen in combat and also the spouses and parents of law enforcement officers or firefighters who have fallen in the line of duty will be eligible for a full or partial discount on entrance fees at county and municipal parks. Disabled military veterans will be eligible for a full or partial discount when using a transportation system or facility owned or operated by a regional transportation authority.

C. Government Sector Impact:

County and municipal departments of parks and recreation will experience a decrease in revenue generated from park entrance fees as a result of this bill. To the extent disabled veterans use the discount provided at transportation systems, regional transportation authorities will experience a decrease in revenue from tickets and fees.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates Sections 125.028 and 166.0447 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

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

CS/CS by Community Affairs on March 5, 2014:

Requires regional transportation authorities to offer a discount to disabled veterans using their transportation systems or facilities.

CS by Military and Veterans Affairs, Space, and Domestic Security on February 18, 2014:

Requires county and city departments of parks and recreation to provide a partial or a full discount on park entrance fees to persons listed in the bill. It also defines the term “park entrance fee.”

B. Amendments:

None.