

STORAGE NAME: h2373z.ep  
DATE: June 14, 2000

**\*\*FAILED TO PASS THE LEGISLATURE\*\***

**HOUSE OF REPRESENTATIVES  
AS REVISED BY THE COMMITTEE ON  
ENVIRONMENTAL PROTECTION  
FINAL ANALYSIS**

**BILL #:** HB 2373 (PCB EP 00-3)

**RELATING TO:** Land management

**SPONSOR(S):** Committee on Environmental Protection; and  
Representative(s): Dockery and Others

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) ENVIRONMENTAL PROTECTION YEAS 15 NAYS 0
- (2) GENERAL GOVERNMENT APPROPRIATIONS YEAS 9 NAYS 0
- (3)
- (4)
- (5)

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**I. SUMMARY:**

The bill creates the Land Management Uniform Accounting Council (council) and directs them to review current land management practices and group closely related land management activities and needs into categories. These categories, created by the bill, are: resource management; administration; new facility construction; and facility maintenance.

The council is directed to adopt a complete list of land management categories. Following the adoption of this list, all agencies assigned to manage conservation or recreation lands shall begin to account for land management costs in accordance with the categories. The bill directs that this method is to be in place by July 1, 2000.

Additional provisions of the bill:

- > Amend s. 259.032(10), F.S. to direct that in developing land management plans that cost estimates be based upon the categories adopted by the council.
- > Amend s. 259.032(11), F.S., to replace current law that details what categories agencies are to use for classifying their lands when developing a budget request. Currently agencies identify lands as low-need, moderate-need, or high-need. The bill directs agencies to now classify needs as immediate, intermediate, or long term.

The fiscal impact to state agencies is indeterminate at this time. There will be a minimal one-time cost associated with switching over to a new method for reporting land management expenditures.

Provides that the act shall take effect upon becoming law.

*(On May 5, 2000, HB 2373 died on the Calendar. However, the subject of the bill was included in HB 2403, CH. 2000-170.)*

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Subsection 259.032(10), F.S., directs that all entities designated to manage lands shall develop and adopt an individual management plan for each project designed to conserve and protect such lands and their associated natural resources. These plans are required to contain provisions that provide a cost estimate for conducting:

- > priority management activities, to include recommendations for cost effective methods of accomplishing those activities; and
- > other management activities which would enhance the natural resource value or public recreation value for which the lands were acquired.

Subsection 259.032(11), F.S., provides that an amount up to 1.5 percent of the cumulative total of funds ever deposited into the Florida Preservation 2000 Trust Fund and the Florida Forever Trust Fund shall be made available for the purposes of management, maintenance, and capital improvements for land acquired pursuant to Conservation and Recreation Lands program, the Preservation 2000 program, or the Florida Forever program. These funds are made available from the Conservation and Recreation Lands (CARL), Trust Fund and for fiscal year 1999-2000 this amount equaled \$45 million. Provided that the Florida Forever program continues to provide an additional \$300 annually, this figure will grow by \$4.5 million annually. Preliminary analysis of the CARL Trust Fund indicates that the growth caused by this allocation of management dollars could lead to a deficit cash situation as early as fiscal year 2001-2002.

Additional provisions of this subsection direct that each agency shall annually request funds sufficient to fulfill management responsibilities. This request is to recognize the following categories of land management needs:

- > Lands which are low-need tracts, requiring basic resource management and protection, such as state reserves, state preserves, state forests, and wildlife management areas.
- > Lands which are moderate-need tracts, requiring more than basic resource management and protection, such as state parks and state recreation areas.
- > Lands which are high-need tracts, with identified needs requiring unique site-specific resource management and protection. These lands are generally sites with historic

significance, unique natural features, or very high intensity public use, or sites that require extra funds to stabilize or protect resources.

As a result of the statutory direction concerning the development of land management needs, the various agencies have developed different definitions, accounting methods, and approaches to quantifying land management costs.

**C. EFFECT OF PROPOSED CHANGES:**

The bill would amend those subsections in s. 259.032, F.S., related to estimating and developing data for land management costs. Specific provisions would:

1. Require that cost estimates be developed using the categories adopted by the Land Management Uniform Accounting Council established in the bill.
2. Replace the low, moderate, and high need categories with the following: Land management needs that are immediate (0 - 2 years); land management needs that are in intermediate need (3 - 4 years); and land management needs which are long term (5 - 6 years).

Finally, the bill creates s. 259.037, F.S., to establish the Land Management Uniform Accounting Council. The council, composed of voting representatives from the Division of State Lands, the Division of Recreation and Parks, the Office of Coastal and Aquatic Managed Areas, the Office of Greenway and Trails, the Division of Forestry, the Fish and Wildlife Conservation Commission, and the Division of Historical Resources, will be charged with reviewing current land management practices and grouping related activities into categories. The bill provides four general categories as a beginning point: resource management; administration; new facility construction; and facility maintenance.

The council, by July 1, 2000, is to adopt categories and all agencies that manage recreation and conservation lands are to begin accounting for management costs in accordance with these categories. The adoption of categories is to be reported to the Governor, the Board of Trustees of the Internal Improvement Trust Fund, the President of the Senate, the Speaker of the House of Representatives, and the Acquisition and Restoration Council.

To assist the council in developing a uniform method of collecting and reporting accurate costs, a representative from the Auditor General and the Office of Program Policy Analysis and Government Accountability are assigned an advisory role.

After adoption and implementation by the agencies of the categories, a report is to be developed annually beginning on July 1, 2001. The report will reflect all expenditures by agencies within each category. This report is to be sent to the President of the Senate and the Speaker of the House. In addition, the report is to be given to the Acquisition and Restoration Council for inclusion in their annual report.

The council, at the call of the chair, may meet at any time to revise the categories originally adopted.

The bill provides that the act shall take effect upon becoming law.

D. SECTION-BY-SECTION ANALYSIS:

See Effect of Proposed Changes

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

N/A

2. Expenditures:

Indeterminate. See Fiscal Comments

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

There will be a minimal one-time cost associated with switching to a new reporting method.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require counties or municipalities to expend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

The bill does not reduce the percentage of state tax shared with counties and municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON ENVIRONMENTAL PROTECTION:

Prepared by:

Staff Director:

Wayne S. Kiger

Wayne S. Kiger

AS REVISED BY THE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS:

Prepared by:

Staff Director:

Cynthia P. Kelly

Cynthia P. Kelly

**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON ENVIRONMENTAL PROTECTION:**

Prepared by:

Staff Director:

Wayne S. Kiger

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