

STORAGE NAME: h1847s2.gg

DATE: April 16, 1998

**HOUSE OF REPRESENTATIVES
AS FURTHER REVISED BY THE COMMITTEE ON
GENERAL GOVERNMENT APPROPRIATIONS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: CS/CS/HB 1847

RELATING TO: Agriculture

SPONSOR(S): Committees on General Government Appropriations; Agriculture; Representative Bronson and others

STATUTE(S) AFFECTED: Section 570.191, Florida Statutes

COMPANION BILL(S): SB 1010 (i), HB 4701 (s), HB 3479 (c), CS/SB 1088 (c)

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

- (1) AGRICULTURE YEAS 7 NAYS 0
- (2) FINANCE AND TAXATION YEAS 13 NAYS 0
- (3) GENERAL GOVERNMENT APPROPRIATIONS YEAS 10 NAYS 0
- (4)
- (5)

I. SUMMARY:

This bill creates the Agricultural Emergency Eradication Trust Fund through the office of the Commissioner of Agriculture. The trust fund would provide funding in defined agricultural emergencies, such as unanticipated disease, insect infestation, or plant or pest endangering or threatening the horticultural, aquacultural, or agricultural interests in the state.

Moneys from the trust fund may be made available upon certification by the Commissioner that an agricultural emergency exists and that funds specifically appropriated for the emergency's purpose are exhausted or insufficient to eliminate the agricultural emergency.

This bill contains no appropriation to the Trust Fund and therefore has no fiscal impact. Two separate bills, CS/HB 3479 and HB 4701, have been filed that provide funding sources for the Trust Fund.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

When funds specifically appropriated for an agricultural emergency are exhausted or insufficient, the Department of Agriculture and Consumer Services (department) has no reserved funds available to eliminate the emergency. Resources of the department were hit especially hard in 1997 when an outbreak of citrus canker was detected in May, and then later that same month, Medflies started showing up in Hillsborough County. It is estimated that the department will spend \$28 million on these two emergencies alone. Unforeseen emergencies such as these force the department to request funds from the state's Working Capital Fund (Rainy Day Fund). Unless additional funding is made available, the department risks having a deficit at the end of the fiscal year.

B. EFFECT OF PROPOSED CHANGES:

By establishing the Agricultural Emergency Eradication Trust Fund, the department will have a dedicated funding source to handle unforeseen agricultural emergencies as they occur rather than borrowing the funds from other accounts.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No

(3) any entitlement to a government service or benefit?

No

b. If an agency or program is eliminated or reduced: **Not applicable**

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

(2) what is the cost of such responsibility at the new level/agency?

(3) how is the new agency accountable to the people governed?

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No

b. Does the bill require or authorize an increase in any fees?

No

c. Does the bill reduce total taxes, both rates and revenues?

No

d. Does the bill reduce total fees, both rates and revenues?

No

e. Does the bill authorize any fee or tax increase by any local government?

No

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No

5. Family Empowerment: **Not applicable**

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

- (2) Who makes the decisions?

- (3) Are private alternatives permitted?

- (4) Are families required to participate in a program?

- (5) Are families penalized for not participating in a program?

- b. Does the bill directly affect the legal rights and obligations between family members?

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

- (1) parents and guardians?

- (2) service providers?

- (3) government employees/agencies?

D. SECTION-BY-SECTION RESEARCH:

Section 1. Creates section 570.191, F.S., to create the Agricultural Emergency Eradication Trust Fund. Provides that funds may be made available upon certification by the Commissioner that an agricultural emergency exists and

that funds specifically appropriated for the emergency's purpose are exhausted or insufficient to eliminate the agricultural emergency.

Also, defines the term "agricultural emergency" to include, but not be limited to, an unanticipated disease, insect infestation, or plant or pest endangering or threatening the horticultural, aquacultural, or agricultural interests in the state.

Section 2. Provides an effective date of July 1 of the year the law is enacted.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

See Fiscal Comments.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

The public will benefit from the department's ability to quickly respond to agricultural emergencies.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

This bill itself has no fiscal impact. It only provides statutory authorization for and creates the Agricultural Emergency Eradication Trust Fund. The bill does not appropriate any moneys into the Trust Fund.

It is anticipated that creation of and funding for this trust fund will eliminate the department's need to request money from the state's Working Capital Fund (Rainy Day Fund) in the event of an agricultural emergency.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend 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.

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

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

V. COMMENTS:

Two separate bills, CS/HB 3479 and HB 4701, have been filed that provide funding sources for the trust fund established by this bill.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On December 3, 1997, two amendments were incorporated into HB 1847 to create CS/HB 1847 by the House Committee on Agriculture. The first amendment changed the name of the trust fund to the Agricultural Emergency Eradication Trust Fund. The second amendment changed the effective date to July 1 of the year in which it is enacted.

On April 14, 1998, the House Committee on General Government Appropriations adopted one amendment that was incorporated into CS/HB 1847 to create CS/CS/HB 1847, which is the subject of this Bill Research & Economic Impact Statement. The amendment clarified the definition of "agricultural emergency."

VII. SIGNATURES:

COMMITTEE ON AGRICULTURE:

Prepared by:

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