**STORAGE NAME**: h0359.wrm
**DATE**: February 24, 1997

**HOUSE OF REPRESENTATIVES**
**COMMITTEE ON**
**WATER & RESOURCE MANAGEMENT**
**BILL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**BILL #**: HB 359

**RELATING TO**: Plant control

**SPONSOR(S)**: Representative Harrington

**STATUTE(S) AFFECTED**: Section 369.252, Florida Statutes (F.S.)

**COMPANION BILL(S)**: None

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE**:
(1) WATER & RESOURCE MANAGEMENT
(2)
(3)
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I. SUMMARY:

The Department of Environmental Protection (DEP) is responsible for developing a program to eradicate or control non-native, invasive plants which pose a threat to the natural environment of public lands. These so-called "exotic plants" include melaleuca, Brazilian pepper, Australian pine and cogon grass. HB 359 directs DEP to include within its eradication or maintenance control program those exotic plants which the Commissioner of the Department of Agriculture and Consumer Services has determined are a threat to agricultural production.

HB 359 would take effect upon becoming a law.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Non-native, invasive plants are one of the greatest threats to Florida's biodiversity. Florida is the adopted home of nearly 900 non-native, or "exotic" plants, and about half of them are aggressively overrunning the state's landscape. Without natural enemies here, exotic plants flourish in the warm, rainy climate of Florida -- crowding out native plant species; reducing quality habitat for native mammals, birds and fish; and adversely impacting water quality and quantity.

There is an economic cost, as well, to the spread of exotic plants. The state has spent at least $8 million a year over the last decade to attempt to control exotic, invasive plants. With the exception of an aquatic exotic plant known as water hyacinth, the state's efforts to control non-native, invasive plants largely have been unsuccessful. Other economic costs -- such as the reduction in property values, loss of high-quality range lands, declines in tourism dollars in communities along weed-infested lakes -- have not been quantified, but likely are substantial in total.

Most of the federal, state and local tax dollars spent on exotic, invasive plants each year in Florida funds maintenance control of hydrilla and other aquatic, non-native plants vegetation. Since 1995, s.259.032 (11)(e), F.S., has specified that up to one-fourth of the management funding available to state agencies managing conservation and recreation lands shall be reserved for control and removal of upland, exotic plants. However, the Legislature in the two fiscal years since then has not appropriated any money for exotic plant control from that source. The only dedicated funds for exotic plant control is $1 million in gasoline tax revenues that, pursuant to s. 212.69 (1)(a), F.S., must be spent on melaleuca control.

Upland exotics are coming into their own as biological pollutants. The most well known are melaleuca, Brazilian pepper and Australian pine. But the spread of the lesser-known tropical soda apple also is of concern to agricultural property owners, ecologists and government agencies.

A native of South America, tropical soda apple is broad-leaf, prickly weed that grows along roadsides and ditches, and in pastures, cultivated lands and forests. The first occurrences of tropical soda apple in Florida were in the early 1980s in Hendry and Glades counties. Current estimates are that tropical soda apple infests more than 500,000 acres. As with most exotics, it spreads quickly, flourishes in warm, humid weather, and has no natural enemies. It typically is spread by cattle, wildlife and birds, who eat the plant's berries and later defecate the seeds. In the early 1990s, Florida cattlemen were concerned that other states would ban the importation of their cows, as a way to check the spread of tropical soda apple. Recent studies indicate that the seeds in the berries eaten by cattle take seven days to move through the animals' digestive tract, and that the seeds' peak germinating period subsides after four days. Many Florida cattlemen are voluntarily quarantining the livestock before shipping them out of state.

The economic impact of tropical soda apple has been estimated at $11 million annually, according to a report cited by the University of Florida's Institute of Food and Agricultural Sciences. The exotic plant crowds out native grasses on which cattle graze,

and infests hammocks which deter cattle from seeking shade. Tropical soda apple also is a host to many different types of viruses that damage tomatoes, cucumbers and other agricultural products.

Tropical soda apple is on the Florida State Noxious Weed List developed by the Department of Agriculture and Consumer Services, and is on a similar list maintained by the U.S. Department of Agriculture.

B. EFFECT OF PROPOSED CHANGES:

HB 359 directs DEP to include within its eradication or maintenance control program any exotic plants which the Commissioner of the Department of Agriculture and Consumer Services has determined are a threat to agricultural production.

It also clarifies throughout s. 369.252, F.S., that DEP's exotic plant program should be designed to eradicate or provide maintenance control of these plants.

C. APPLICATION OF PRINCIPLES:

1. <u>Less Government:</u>

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?

HB 359 directs DEP to include in its exotic plant eradication or control program any plants which the commissioner of the Department of Agriculture and Consumer Services determines are threats to farm production.

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

No.

b. If an agency or program is eliminated or reduced:

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

Not applicable.

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

Not applicable.

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

Not applicable.

2. Lower Taxes:

Not applicable.

3. Personal Responsibility:

Not applicable.

4. Individual Freedom:

Not applicable.

5. Family Empowerment:

Not applicable.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Amends s. 369.252, F.S., to direct DEP to include in its exotic plant control program those plants which the state agriculture commissioner considers a threat to Florida's agricultural productivity. Adds the phrase, "eradication and maintenance control" throughout the section.

Section 2: Provides that this act shall take effect upon becoming a law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

Staff within DEP's Bureau of Aquatic Plant Management indicate that HB 357 will not create any additional funding needs or workload because most, if not all, of the upland exotic plants that threaten Florida's natural resources also threaten agricultural production.

3. Long Run Effects Other Than Normal Growth:

   None.

4. Total Revenues and Expenditures:

   See A.2.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

   None.

2. Recurring Effects:

   None.

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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:

   Agricultural private property owners who battle exotic plants that spread onto their land from public lands will benefit from a renewed emphasis on DEP to control or eradicate such plants, and thus limit future infestation.

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

   None.

D. FISCAL COMMENTS:

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

A. APPLICABILITY OF THE MANDATES PROVISION:

The mandates provision is not applicable to an analysis of HB 359 because the bill does not require counties or municipalities to spend funds or to take actions requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

Not applicable.

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

Not applicable.

V. COMMENTS:

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

VII. SIGNATURES:

COMMITTEE ON WATER & RESOURCE MANAGEMENT:

| Prepared by: | Legislative Research Director: |
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| Joyce Pugh | Joyce Pugh |