

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 5123 PCB NRAC 09-03 Fish and Wildlife Conservation Commission

SPONSOR(S): Natural Resources Appropriations Committee and Poppell

TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Natural Resources Appropriations Committee	9 Y, 0 N	Lachat	Lachat
1)	Full Appropriations Council on General Government & Health Care	30 Y, 0 N	Lachat	Leznoff
2)	_____	_____	_____	_____
3)	_____	_____	_____	_____
4)	_____	_____	_____	_____
5)	_____	_____	_____	_____

SUMMARY ANALYSIS

The bill includes the following statutory revisions and associated fiscal impacts on state government. The bill transfers the Invasive Plant Control Trust Fund in the Department of Environmental Protection to the Fish and Wildlife Conservation Commission ratifying actions taken pursuant to chapter 2008-150, Laws of Florida. This transfer formally completes action taken in the 2008 Legislative Session to move the Bureau of Invasive Plant Management in DEP to FWCC. Transfers all property, records, personnel, and administrative authority by a Type II transfer of the Bureau of Invasive Plant Management in the Department of Environmental Regulation to the Fish and Wildlife Conservation Commission.

This bill conforms to the House of Representatives FY 2009-2010 General Appropriations Act in that this bureau is appropriated in the Fish and Wildlife Conservation Commission.

This bill will become effective upon becoming law.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

As a result of changes made in the 2008 Legislative Session transferring the Bureau of Invasive Management from the Department of Environmental Protection to the Fish and Wildlife Conservation Commission, the formal transfer of the Invasive Plant Control Trust Fund and all administrative transfers of personnel, records, appropriations, and property was not completed. To enact the legislative change, the Department of Environmental Protection and the Fish and Wildlife Conservation Commission entered into an interagency agreement providing for the administrative and operational matters to be conducted between the two entities. The two agencies have acted under this agreement during Fiscal Year 2008-2009 awaiting the formal transfer contained in this legislation.

The Bureau of Invasive Plant Management is responsible for directing, coordinating and funding two statewide programs controlling invasive upland plants on public conservation lands and invasive aquatic plants in public waterways. This bureau also regulates, through a permitting program, projects for the control of aquatic plants that do not meet the eligibility requirements for state funding. Florida's native plant and wildlife diversity is protected through the use of controls to manage invasive plants on public lands and waterways; through the dissemination of information and public education efforts; through contractual research; and through the surveillance of plant communities on public lands and waterways to prevent new, invading plant species from becoming well-established.

For information purposes, the following is the FY2008-2009 Budget for the Bureau of Invasive Plant Management:

<u>Categories</u>	<u>Amount</u>
Salaries	\$ 1,758,288
Other Personal Services	\$ 457,080
Expenses	\$ 822,437
Operating Capital Outlay	\$ 16,782
Contracted Services	\$ 215,000
Control of Invasive Exotics	\$38,434,647
Transfer-FWCC/Administration	\$ 880,000
Transfer-UF/Aqua Plant Ed Program	\$ 25,000

Transfer-IFAS/DACS/Inv Exotic Plant	\$ 874,171
Transfer-DMS HR	\$ 13,005

Effect of Proposed Change

Type II Transfer

The bill will result in no changes to fiscal impact, FTEs or rate, and only includes the transfer of resources between budget entities. Conducting this final transfer will complete the formal transfer of the program between Department of Environmental Protection and the Fish and Wildlife Conservation Commission.

B. SECTION DIRECTORY:

Section 1: Transfers the Invasive Plant Control Trust Fund from the Department of Environmental Protection to the Fish and Wildlife Conservation Commission.

Section 2: Provides for a Type II transfer of the statutory powers, duties, and functions of the Bureau of Invasive Plant Management in the Department of Environmental Protection to the Fish and Wildlife Conservation Commission.

Section 3: Provides that the bill will take effect upon becoming law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

Type II Transfer --- revenue neutral

2. Expenditures:

Type II Transfer --- budget neutral

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

Being a transfer, the effect of this action is both budget and revenue neutral.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable as the bill does not appear to require municipalities or counties to take action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide rulemaking

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES