

STORAGE NAME: h3947.ag
DATE: March 19, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
AGRICULTURE
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 3947
RELATING TO: Department of Agriculture and Consumer Services
SPONSOR(S): Representative LaCasa
COMPANION BILL(S): SB 2040 (i) by Senator Gutman
ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) AGRICULTURE
 - (2) GENERAL GOVERNMENT APPROPRIATIONS
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

House Bill 3947 establishes a residential tree replacement program through the Department of Agriculture and Consumer Services (DACS).

Currently, in Dade and Broward County, DACS has removed and destroyed approximately 74,000 citrus trees that are infested with or have been exposed to citrus canker. This program requires DACS to develop a program by which residents would be supplied with replacement seedling fruit and/or shade trees.

The bill requires a report establishing objectives and methods of implementation for the program to be submitted to the Governor, the Speaker of the House of Representatives, the President of the Senate, and the Agriculture committees of the respective houses by January 1, 1999.

This bill has a \$1.6 million fiscal impact in FY 98-99; \$800,000 for FY 99-00; and, \$570,000 for FY 00-01.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Under s. 581.184, F.S., the Department of Agriculture and Consumer Services (DACS) has the authority to require the destruction of plants for the purpose of eradicating, controlling, or preventing the dissemination of citrus canker in the state. DACS is also given the authority to adopt rules, as necessary, to aid in the eradication process. The terms of such rules may provide for the destruction of healthy plants within 125 feet of an infected tree.

To date, approximately 74,000 trees in Dade and Broward counties have been destroyed due to infection by, or exposure to, citrus canker. Currently, there is no provision in the statutes to replace or compensate owners for trees destroyed in residential areas.

B. EFFECT OF PROPOSED CHANGES:

House Bill 3947 requires the Department of Agriculture and Consumer Services (DACS) to develop a program by which residents will be supplied with seedling fruit and/or shade trees to replace the trees that were removed due to citrus canker. (It should be noted that the seedling fruit trees would be fruit other than citrus, such as mango, avocado, or black olive. DACS rules state that citrus trees can not be planted in a quarantined area until all canker has been eradicated.)

The report, setting forth the objectives and methods of implementation, would be submitted to the Governor, the Speaker of the House of Representatives, the President of the Senate, and the Agriculture committees of the respective houses by January 1, 1999.

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?

The Department of Agriculture and Consumer Services would be responsible for implementing the tree replacement program.

(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: **Not Applicable.**

a. Does the bill increase anyone's taxes?

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

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

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

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

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?

Not Applicable.

4. Individual Freedom:

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

Not Applicable.

- 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. STATUTE(S) AFFECTED:

This bill does not affect existing statutes. It creates new language for which chapter and section numbers have not been assigned.

E. SECTION-BY-SECTION RESEARCH:

Section 1: Provides for the Department of Agriculture and Consumer Services (DACS) to establish a residential tree replacement program for residential trees removed due to exposure to or infestation by citrus canker. DACS will submit a report, setting forth the objectives and methods of implementation, to the Governor, the Speaker of the House of Representatives, the President of the Senate, and the Agriculture committees of the respective houses by January 1, 1999.

Section 2: Provides an effective date of July 1 of the year in which enacted.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

	Year 1 <u>FY 98-99</u>	Year 2 <u>FY 99-00</u>	Year 3 <u>FY 00-01</u>
10 OPS employees @ \$6.73/hr. x 1.0765 social security x 2,000 hours each year	\$144,900	\$ 144,900	\$ 144,900
(5) Cargo vans @ \$18,000 each	90,000	-0-	-0-
1 Computer/workstation/ printer for database	4,110	-0-	-0-
Software and training	890	-0-	-0-
Set-up costs for distribution centers	8,600	-0-	-0-
Software development	<u>50,000</u>	<u>-0-</u>	<u>-0-</u>
 Total Non-Recurring Costs (GR)	 <u>\$298,500</u>	 <u>\$144,900</u>	 <u>\$144,900</u>

2. Recurring Effects:

100,000 trees* (first year)			
50,000 trees* (second year)			
30,000 trees* (third year)	\$ 1,250,000	\$ 625,000	\$ 375,000
Data processing operations	5,000	5,000	5,000
Operating costs, gasoline, supplies	21,400	21,400	21,400
Postage and voucher printing	<u>21,100</u>	<u>21,100</u>	<u>21,100</u>
 Total Recurring Costs (GR)	 <u>1,297,500</u>	 <u>672,500</u>	 <u>422,500</u>

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A. APPLICABILITY OF THE MANDATES PROVISION:

The mandates provision is not applicable to an analysis of HB 3947 because the bill does not require counties or municipalities to spend funds or take actions requiring expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

HB 3947 does not reduce the revenue raising authority of any county or municipality.

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

HB 3947 does not reduce any state tax revenues shared with counties and municipalities.

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON AGRICULTURE:

Prepared by:

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