

STORAGE NAME: h1835.gg
DATE: April 2, 1997

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
GENERAL GOVERNMENT APPROPRIATIONS
BILL ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: HB 1835 (PCB GG 97-03)

RELATING TO: General Government Appropriations

SPONSOR(S): Committee on General Government Appropriations

STATUTE(S) AFFECTED: Chapter 372.672, 259.101, 376.11, 206.606, 369.20, 369.22, 369.25, 369.251, 369.252, 403.813, 581.145, 597.004, 253.783, 61.1812, 558.70 - 558.96, 205.1951, 570.5, 570.51, 828.22 - 828.26, 877.05, 877.06, F.S.

COMPANION BILL(S):

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

- (1) GENERAL GOVERNMENT APPROPRIATIONS YEAS 8 NAYS 0
- (2)
- (3)
- (4)
- (5)

I. SUMMARY:

This bill conforms the statutes to specific funding decisions approved by the Committee on General Government Appropriations in the FY 1997-98 General Government Appropriations Act.

Specifically, the bill makes the following changes:

- ◆ Clarifies the use of funds in the Florida Panther Research and Management Trust Fund.
- ◆ Provides for Preservation 2000 funds for the purchase of lands necessary to restore Lake Apopka.
- ◆ Confirms uses of funds in the Florida Coastal Protection Trust Fund.
- ◆ Transfers authority for aquatic plant control from the Department of Environmental Protection to the water management districts.
- ◆ Eliminates a provision prohibiting use of general revenue funds to repay interest owed to counties of the Cross Florida Barge Canal Navigation District.
- ◆ Revises funding and uses of the Child Support Incentive Trust Fund.
- ◆ Repeals the State Meat Inspection program in the Department of Agriculture and Consumer Services.

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II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Florida Panther Research and Management Trust Fund: The Florida Panther Research and Management Trust Fund is used for the purposes of managing and protecting existing Florida panther populations by increasing food sources, determining conflicts between public use and panther survival, and maintaining sufficient genetic variability in existing populations.

Lake Apopka Restoration: Under current statutes, funds from the Florida Preservation 2000 Trust Fund are distributed by the Department of Environmental Protection for the purchase of lands across the state. Fifty percent is for the purchase of public lands through the Conservation and Recreation Lands Program. Thirty percent is for the purchase of water management lands to be distributed among the water management districts. Two and nine-tenths percent is for the purchase of inholdings and additions to state parks. One and three-tenths percent is for the Florida Greenways and Trails Program. Ten percent is distributed to the Department of Community Affairs to provide land acquisition grants and loans to local governments through the Florida Communities Trust. Two and nine-tenths is distributed to the Department of Agriculture and Consumer Services to fund the acquisition of state forest inholdings. Two and nine-tenths percent is distributed to the Game and Fresh Water Fish Commission to fund the acquisition of inholdings and additions to lands managed by the commission which are important to the conservation of fish and wildlife.

Florida Coastal Protection Trust Fund: The Florida Coastal Protection Trust Fund provides funding for the prevention and abatement of pollution related to the discharge of pollutants and other potential pollution hazards, and costs for cleanup, restoration and rehabilitation of waterfowl, wildlife, and other natural resources damaged by the discharge of pollutants, including the costs of assessing and recovering damages to natural resources.

Aquatic Plant Management: The Department of Environmental Protection currently administers the aquatic plant management program, including associated permitting and administration of a matching grant program. Funds are received from the Fuel Tax Collection Trust Fund to the Aquatic Plant Control Trust Fund for aquatic plant management, including nonchemical controls, and enforcement activities. Beginning in fiscal year 1993-1994, the department allocates at least \$1 million of such funds to the eradication of melaleuca.

Cross Florida Barge Canal: Existing statutory language prevents the repayment of interest owed to the counties from the General Revenue Fund.

Child Support Incentive Trust Fund: The Child Support Incentive Trust Fund is administered by the Department of Revenue. Statutes provide for the federal earnings from child support enforcement incentives to be credited to the trust fund.

Meat Inspection Program: Pursuant to sections 585.70-585.96, F.S., the Division of Food Safety of the Department of Agriculture and Consumer Services is granted authority to conduct a meat inspection program.

B. EFFECT OF PROPOSED CHANGES:

Refer to Section-by-Section Analysis.

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?

N/A

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

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

N/A

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?

Department of Environmental Protection authority for aquatic plant management transferred to the water management districts.

State Meat Inspection Program functions would be assumed by the existing federal government program.

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

Indeterminate

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

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

N/A

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

N/A

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

N/A

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

N/A

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

N/A

3. Personal Responsibility:

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

N/A

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

N/A

4. Individual Freedom:

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

N/A

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

N/A

5. Family Empowerment:

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

N/A

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

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

N/A

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

N/A

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

N/A

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?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Clarifies that expenditures related to the enforcement of laws necessary to preserve Florida panthers and their habitat are consistent with the statutory purposes of the Florida Panther Research and Management Trust Fund of managing and protecting existing Florida panther populations.

Section 2: Provides for a \$20 million appropriation per year for the 1997-98 and 1998-99 fiscal years from the proceeds of any bonds deposited into the Florida Preservation 2000 Trust Fund. Provides that these funds shall be distributed by the Department of Environment Protection for the purchase by the St. Johns Water Management District of lands necessary to restore Lake Apopka.

Section 3: Clarifies that marine law enforcement expenditures are specifically authorized from the Florida Coastal Protection Trust Fund.

Section 4: Provides for the expenditure of proceeds from the Fuel Tax Collection Trust Fund. Decreases the amount to be transferred to the Department of Environmental Protection from \$7.55 million each year to \$1.25 million each year. Inserts a provision which specifies that \$6.30 million will be transferred to the water management districts each fiscal year and deposited in the Aquatic Plant Control Trust Fund.

Section 5: Makes identical provisions to Section 4 with an effective date of July 1, 1999 in order to counteract a law passed during the 1996 legislative session which would otherwise supersede the provisions of Section 4 upon becoming effective in 1999.

Section 6: Transfers authority for aquatic plant control from the Department of Environmental Protection to the water management districts and corrects cross-references.

Section 7: Corrects cross-references to conform to provisions in Section 6.

Section 8: Corrects cross-references to conform to provisions in Section 6.

Section 9: Corrects cross-references to conform to provisions in Section 6.

Section 10: Corrects cross-references to conform to provisions in Section 6.

Section 11: Corrects cross-references to conform to provisions in Section 6.

Section 12: Corrects cross-references to conform to provisions in Section 6.

Section 13: Corrects cross-references to conform to provisions in Section 6.

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Section 14: Deletes a provision which prohibits the use of general revenue funds to repay interest owed to counties of the Cross Florida Barge Canal Navigation District to allow for continued repayment of the balances owed by the state.

Section 15: Revises funding procedures and uses of the Child Support Incentive Trust Fund to include increased earnings associated with increased Child Support Enforcement efforts.

Section 16: Repeals statutes relating to meat inspection programs.

Section 17: Repeals a statute relating to meat inspection programs.

Section 18: Amends statutes to conform to Section 16.

Section 19: Amends statutes to conform to Section 16.

Section 20: Repeals statutes relating to meat inspection programs.

Section 21: Amends statutes to conform to Section 16.

Section 22: Amends statutes to conform to Section 16.

Section 23: Provides an effective date.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

2. Recurring Effects:

This bill has no fiscal consequences independent of the General Appropriations Act. Provisions herein merely conform to, and allow implementation of, budgetary decisions made by the Legislature in the General Appropriations Act.

3. Long Run Effects Other Than Normal Growth:

4. Total Revenues and Expenditures:

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

2. Recurring Effects:

3. Long Run Effects Other Than Normal Growth:

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

2. Direct Private Sector Benefits:

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

D. FISCAL COMMENTS:

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 take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

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

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

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

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V. COMMENTS:

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

VII. SIGNATURES:

COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS:

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