

STORAGE NAME: h1717.frc
DATE: March 22, 2001

HOUSE OF REPRESENTATIVES
FISCAL RESPONSIBILITY COUNCIL
ANALYSIS

BILL #: HB 1717

RELATING TO: Division of Dairy Industry of the Department of Agriculture & Consumer Services

SPONSOR(S): Fiscal Responsibility Council and Representative Dockery

TIED BILL(S):

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

- (1) FISCAL RESPONSIBILITY COUNCIL YEAS 17 NAYS 2
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

This bill changes the organizational structure of Department of Agriculture and Consumer Services by merging the Division of Dairy Industry into the Division of Food Safety, to form only one division, the Division of Food Safety.

The change reflects budget reductions contained within the House Appropriations bill. Two full-time equivalent (FTE) positions are eliminated and spending authority of \$145,297 is reduced in the General Revenue Fund in the Department of Agriculture and Consumer Services.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The Department is organized in 12 divisions created in s. 570.29, Florida Statutes. The Department is comprised of four operational programs. The Division of Dairy Industry and the Division of Food Safety are the components of the Food Safety and Quality Program.

The Division of Dairy Industry conducts sanitary compliance inspections on dairy farms, processing plants, frozen dessert manufacturers, wash stations, transfer stations, and single service container manufacturers. The division also conducts equipment tests of public health controls on pasteurization equipment and evaluations of bulk milk haulers and bulk milk transport tankers. Samples of milk products, both in-state and out-of-state, are collected and tested in one of two state milk laboratories. During 1999-2000, the division conducted 3,000 dairy establishment inspections and analyzed 80,433 milk and milk product samples. 92.9% of the milk and milk products analyzed met standards and 83.67% of dairy establishments met food safety and sanitation requirements.

The Division of Dairy is currently staffed with 34 full-time positions and is funded with a budget of \$1.7 million from General Revenue. In 1999-2000 the division collected \$17,900 in frozen dessert license fees and \$1,500 for milk fat testers permits. The division estimates that during 2000-01, they will spend \$858,447 to inspect dairy establishments; \$540,129 to perform sample analyses; and \$340,876 to provide administrative direction. This calculates to a 24% administrative overhead rate.

C. EFFECT OF PROPOSED CHANGES:

The Division of Dairy Industry would merge into the Division of Food Safety as a bureau level function. The statutory requirements of Chapter 502, Milk and Milk Products, and Chapter 503, Frozen Desserts, would not change. The operational functions and requirements of the program should remain the same.

D. SECTION-BY-SECTION ANALYSIS:

Section 1 repeals sections 570.40 and 570.41, F.S., deleting powers and duties of the Division of Dairy Industry and the Director.

Section 2 amends section 20.14, F. S., deleting the establishment of the division.

Section 3 amends section 570.29, F. S., deleting the establishment of the division.

Section 4 amends section 580.18, F. S., to conform language.

Section 5 amends section 580.50, F. S., to transfer powers and duties to the Division of Food Safety.

Section 6 provides the act shall take effect July 1, 2001.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

No impact.

2. Expenditures: FY 2001-02

Recurring	
Salaries and Benefits (2) FTE	(112,939)
Expenses	(21,358)
Operating Capital Outlay	<u>(11,000)</u>
Total – General Revenue Fund	(145,297)

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

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

A. APPLICABILITY OF THE MANDATES PROVISION:

None

B. REDUCTION OF REVENUE RAISING AUTHORITY:

None

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

None

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

FISCAL RESPONSIBILITY COUNCIL:

Prepared by:

Staff Director:

Marsha Belcher

David K. Coburn