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89-12

**H 922 GENERAL BILL/1ST ENG by Agriculture; Trammell; Harris
(Similar CS/S 299)**

Citrus Inspections & Information; revises language to reflect correct names of certain bureaus; authorizes Agriculture & Consumer Services Dept. to adopt rules for imposition of special fees for inspection conducted during hours not contemplated by regular state work hours under certain circumstances; provides for imposition of such fees by contract; saves provision re dissemination of info to citrus industry from repeal on 10/01/90, etc. Amends 601.28; reenacts 601.10(8).
Effective Date: 10/01/89.

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03/17/89 HOUSE Prefiled
03/23/89 HOUSE Referred to Appropriations
04/03/89 HOUSE Subreferred to Subcommittee on General Government
04/04/89 HOUSE Introduced, referred to Appropriations -HJ 88; Subreferred to Subcommittee on General Government
04/11/89 HOUSE On Committee agenda—Appropriations, 04/13/89, 1:15 pm, 21-HOB
04/13/89 HOUSE Preliminary Committee Action by Appropriations: Favorable with 1 amendment
04/17/89 HOUSE Comm. Report: Favorable with 1 amendment(s) by Appropriations, placed on Calendar -HJ 232
04/19/89 HOUSE Placed on Special Order Calendar; Read second time; Amendment adopted -HJ 242
04/25/89 HOUSE Read third time; Passed as amended; YEAS 116 NAYS 0 -HJ 265
04/27/89 SENATE In Messages
05/02/89 SENATE Received, referred to Agriculture -SJ 247; Immediately withdrawn from Agriculture; Substituted for CS/SB 299; Passed; YEAS 39 NAYS 0 -SJ 249
05/09/89 Ordered enrolled
05/15/89 Signed by Officers and presented to Governor -HJ 504
05/22/89 Approved by Governor; Chapter No. 89-12 -HJ 569

NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

STORAGE NAME: h0922-f.hag
DATE: June 19, 1989

**HOUSE OF REPRESENTATIVES
HOUSE COMMITTEE ON AGRICULTURE
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: HB 922 (As Amended) (PCB HAG 89-7)

RELATING TO: Citrus; overtime inspection fees

SPONSOR(S): House Agriculture Committee; Representatives Trammell and Harris

EFFECTIVE DATE: October 1, 1989

DATE BECAME LAW: May 22, 1989

CHAPTER #: 89-12, Laws of Florida

COMPANION BILL(S): Similar CS/SB 299

OTHER COMMITTEES OF REFERENCE: (1) Appropriations
(2)

I. SUMMARY:

A. PRESENT SITUATION:

Presently, section 601.28, Florida Statutes, lacks uniformity when referring to the various bureaus in the Division of Fruit and Vegetable Inspection.

All citrus fruit which enters the primary channel of trade in Florida is inspected by the Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetable Inspection, under the authority of section 601.28. The division inspects fruit at fresh fruit packinghouses during hours fixed by Department of Citrus rule. The Department of Citrus recently adopted a rule amendment extending fresh fruit packinghouse inspection hours. Under the present inspection fee structure, the increased costs incurred by the Division of Fruit and Vegetable Inspection due to the extended hours are shared by all packinghouses using the inspection service, regardless of whether an individual packinghouse is operating during the extended hours.

Subsection 601.10(8), F.S., which allows the Department of Citrus to prepare and disseminate information of importance to the citrus industry, is included in Chapter 83-252, Laws of Florida. This chapter deals with public printing and is scheduled to be repealed on October 1, 1990.

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B. EFFECT OF PROPOSED CHANGES:

The bureaus in the Division of Fruit and Vegetable Inspection would be cited by the proper names.

The Department of Agriculture and Consumer Services would continue to collect the inspection fees as set out in s. 601.28(1), F.S., for inspection services rendered during regular packinghouse hours. The department would be authorized to promulgate rules to set separate fees for services rendered during extended hours.

Subsection 601.10(8), F.S., would not be repealed October 1, 1990 and would be reenacted.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS: FY 89-90 FY 90-91

1. Non-recurring or First Year Start-Up Effects:

None

2. Recurring or Annualized Continuation Effects:

Department of Agriculture & Consumer
Services

REVENUES:

New Fees	\$118,125	\$124,031
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EXPENDITURES:

Salaries & Benefits (overtime)	\$118,125	\$124,031
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3. Long Run Effects Other Than Normal Growth:

None

4. Appropriations Consequences:

REVENUES:

Citrus Inspection Trust Fund	\$118,125	\$124,031
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EXPENDITURES:

Citrus Inspection Trust Fund New Fees	\$118,125	\$124,031
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B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None

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DATE: June 19, 1989

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2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

Fresh fruit packinghouses which require more than 40 hours of inspection per week will have to enter into contracts with the Department of Agriculture and Consumer Services to cover the cost of the overtime inspections. All costs of this overtime inspection will be borne by the individual packinghouse.

2. Direct Private Sector Benefits:

Packinghouse owners who wish to operate overtime will be able to do so.

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

None

D. FISCAL COMMENTS:

The money paid by the packinghouse will be placed in the Citrus Inspection Trust Fund, to be paid to the inspector who performs the overtime inspection.

A technical amendment was adopted by the Committee on Appropriations correcting the name of the bureau from the Bureau of Citrus License Bond to the Bureau of Citrus License and Bond.

III. LONG RANGE CONSEQUENCES:

This act does not address the Issues Conference Policy Statement.

IV. COMMENTS:

This act does not address Chapter 187, State Comprehensive Plan.

This legislation was requested by the Department of Citrus.

The Department of Citrus estimates that 5 or 6 fresh fruit packinghouses will utilize the overtime provisions.

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DATE: June 19, 1989

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V. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:

Sonia R. Crockett

Sonia Crockett, Staff Attorney

Staff Director:

Becky Everhart

Becky Everhart

SECOND COMMITTEE OF REFERENCE:

Prepared by:

Staff Director:

APPROPRIATIONS:

Prepared by:

Staff Director:

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Merritt <i>lm</i></u>	<u>Poole <i>m.p.</i></u>	1. <u>AG</u>	<u>Fav./CS</u>
2. _____	_____	2. <u>AP</u>	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

CITRUS; Inspection fees and Authority to disseminate information.

BILL NO. AND SPONSOR:

CS/SB 299 by Senate Committee on Agriculture and Senator Thurman

I. SUMMARY:

A. Present Situation:

All citrus fruit which enters the primary channel of trade in Florida is inspected by the Division of Fruit and Vegetable Inspection of the Department of Agriculture and Consumer Services. The division inspects fruit at fresh fruit packing houses during hours fixed by Department of Citrus rule. The cost of such inspection is offset by inspection fees paid to the Department of Agriculture and Consumer Services.

The Department of Citrus recently adopted a rule extending fresh fruit packing house inspection hours. Under the current inspection fee structure, the increased costs incurred by the Division of Fruit and Vegetable Inspection due to extended packing house hours are shared by all persons using the inspection service, regardless of whether the extended hours are used by individual packing houses.

Section 601.10(8), Florida Statutes, was created by Chapter 76-134, Laws of Florida, to provide authority to the Department of Citrus for preparation and dissemination of citrus information. In Chapters 83-252 and 88-32, Laws of Florida, relating to printing procedures for executive branch agencies, the Department of Citrus printing authority appears to be uncertain.

B. Effect of Proposed Changes:

Amends s. 601.28, Florida Statutes, to provide the Department of Agriculture and Consumer Services authority to adopt rules which would allow the department to contract with packing houses individually for inspection services during the new extended hours. Technical amendments are made to properly cite the names of the various bureaus within the Division of Fruit and Vegetable Inspection. Reinstates without a future repeal date s. 601.10(8), Florida Statutes, providing for the Department of Citrus to prepare and disseminate certain information.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Fresh fruit packing houses which require more than 40 hours of inspection per week will have to pay overtime to the department. It is estimated that 5 or 6 fresh fruit packing houses will utilize the overtime provisions provided in the bill.

B. Government:

The department estimates the cost for providing inspection in excess of 40 hours per week will be \$125,000 for FY 89-90. These funds will be generated by the packing houses utilizing the overtime provisions and the funds will be placed in the Citrus Inspection Trust Fund.

III. COMMENTS:

The proposed legislation relating to the printing authority for the Department of Citrus results from an interim study conducted by staff as mandated by the statutes. The full review is on file in the committee office.

IV. AMENDMENTS:

None.