

Florida Department of Agriculture and Consumer Services  
CHARLES H. BRONSON, Commissioner  
The Capitol • Tallahassee, FL 32399-0800  
www.doacs.state.fl.us

Please Respond to:

## LEGISLATIVE BUDGET REQUEST

Department of Agriculture & Consumer Services

Tallahassee, Florida

October 15, 2008

Mr. Jerry L. McDaniel, Director  
Office of Policy and Budget  
Executive Office of the Governor  
1701 Capitol  
Tallahassee, Florida 32399-0001

Mr. Michael Hansen, Budget Director  
House Policy and Budget Council  
418 Capitol  
Tallahassee, Florida 32399-1300

Ms. Cynthia Kelly, Staff Director  
Senate Fiscal Policy & Calendar Committee  
201 Capitol  
Tallahassee, Florida 32399-1300

Dear Directors:

Pursuant to Chapter 216, Florida Statutes, our Legislative Budget Request for the Department of Agriculture & Consumer Services is submitted in the format prescribed in the budget instructions. The information provided electronically and contained herein is a true and accurate presentation of our proposed needs for the 2009-10 Fiscal Year. This submission has been approved by Commissioner Charles H. Bronson.

Sincerely,

A handwritten signature in black ink that reads "Charles H. Bronson".

CHARLES H. BRONSON  
COMMISSIONER OF AGRICULTURE



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Florida Agriculture and Forest Products  
\$97 Billion for Florida's Economy

State of Florida  
Department of Agriculture  
and Consumer Services

FY 2009-10  
Department Level Exhibits  
and Schedules

## Schedule VII: Agency Litigation Inventory

*For directions on completing this schedule, please see the "Legislative Budget Request (LBR) Instructions" located on the Governor's website.*

<b>Agency:</b>	<b>Department of Agriculture and Consumer Services</b>		
<b>Contact Person:</b>	Richard D. Tritschler	<b>Phone Number:</b>	850-245-1000
<b>Names of the Case: (If no case name, list the names of the plaintiff and defendant.)</b>	ABC Charters, Inc., et al. v. Charles H. Bronson, in his official capacity as Commissioner of Agriculture		
<b>Court with Jurisdiction:</b>	U.S. District Court, Southern District of Florida		
<b>Case Number:</b>	08-21865-Civ (Gold/McAliley)		
<b>Summary of the Complaint:</b>	Action pursuant to 42 U.S.C. §1983 alleging statutory amendments violate the following provisions of the U.S. Constitution: Supremacy Clause (foreign affairs power, foreign commerce clause, interstate commerce clause, Airline Deregulation Act); due process and equal protection under the Fourteenth Amendment; right to travel; Eighth Amendment prohibition against cruel & unusual punishment.		
<b>Amount of the Claim:</b>	\$ N/A (Only Injunctive and Declaratory Relief sought, & attorneys fees)		
<b>Specific Statutes or Laws (including GAA) Challenged:</b>	Chapter 2008-214, Laws of Florida		
<b>Status of the Case:</b>	10/1/2008: Preliminary Injunction entered against Defendant 10/10/2008: Answer Filed by Defendant; responses served to Plaintiffs' First Requests for Admissions (No other discovery pending at this time)		
<b>Who is representing (of record) the state in this lawsuit? Check all that apply.</b>	<input checked="" type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input type="checkbox"/>	Outside Contract Counsel	
<b>If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).</b>	Although not a class action, there are 13 plaintiffs represented by Kurzban, Kurzban, Weinger and Tetzeli, P.A.		

**Schedule VII: Agency Litigation Inventory**

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of Agriculture and Consumer Services		
Contact Person:	Wesley R. Parsons	Phone Number:	305-460-1000
Names of the Parties:	Pompano Beach, et al. v. DOACS (In re Citrus Canker Litigation) (Cox and Martinez cases)		
Court with Jurisdiction:	Broward County Circuit Court		
Case Number:	00-18394		
Summary of the Complaint:	Lawsuit for damages for removal of canker-exposed citrus trees in Broward County under theories of inverse condemnation and statutory liability.		
Amount of the Claim:	Unliquidated, but more than \$50 million.		
Specific Law(s) Challenged:	Fla. Stat. § 581.1845.		
Status of the Case:	Court certified class of Broward homeowners who lost canker-exposed citrus trees. Judgment for \$8,043,501 was entered on October 6, 2008. Appeal expected.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	Hanzman & Gilbert, LLP Weiss, Serota, Helfman, Pastoriza & Guedes, P.A. Lytal Reiter Clark Fountain & Williams, P.A. Berman, Devalerio, Pease, Tabacco, Burt & Pucillo Law Offices of Malcolm Misuraca Barry M. Silver, P.A. Stokes Law Office LLP		

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<b>Agency:</b>	Department of Agriculture and Consumer Services		
<b>Contact Person:</b>	Wesley R. Parsons	<b>Phone Number:</b>	305-460-1000
<b>Names of the Parties:</b>	Pompano Beach, et al. v. DOACS (In re Citrus Canker Litigation) (transferred to Miami-Dade County Circuit Court) Martinez v. DOACS		
<b>Court with Jurisdiction:</b>	Miami-Dade County Circuit Court		
<b>Case Number:</b>	Pompano Beach: 02-24436 Martinez: 03-30110		
<b>Summary of the Complaint:</b>	Lawsuits for damages for removal of canker-exposed citrus trees in Miami-Dade County under theories of inverse condemnation and statutory liability. Pompano Beach covers residential trees removed after January 1, 2000, and Martinez covers other residential trees and commercial trees.		
<b>Amount of the Claim:</b>	Unliquidated, but likely more than \$100 million.		
<b>Specific Law(s) Challenged:</b>	Fla. Stat. § 581.1845.		
<b>Status of the Case:</b>	Certification of a class in Pompano Beach was reversed by the Third District. Martinez has not yet been certified.		
<b>Who is representing (of record) the state in this lawsuit? Check all that apply.</b>	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
<b>If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).</b>	Hanzman & Gilbert LLP Weiss, Serota, Helfman, Pastoriza & Guedes, P.A. Lytal Reiter Clark Fountain & Williams, P.A. Berman, Devalerio, Pease, Tabacco, Burt & Pucillo Law Offices of Malcolm Misuraca Barry M. Silver, P.A. Stokes Law Office LLP		

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<b>Agency:</b>	Department of Agriculture and Consumer Services		
<b>Contact Person:</b>	Wesley R. Parsons	<b>Phone Number:</b>	305-460-1000
<b>Names of the Parties:</b>	Mendez v. DOACS		
<b>Court with Jurisdiction:</b>	Palm Beach County Circuit Court		
<b>Case Number:</b>			
<b>Summary of the Complaint:</b>	Lawsuit for damages for removal of canker-exposed citrus trees in Palm Beach County under theories of inverse condemnation and statutory liability.		
<b>Amount of the Claim:</b>	Unliquidated, but likely more than \$40 million.		
<b>Specific Law(s) Challenged:</b>	Fla. Stat. § 581.1845.		
<b>Status of the Case:</b>	Court certified class of Palm Beach County homeowners who lost canker-exposed citrus trees. Summary judgment of liability was entered on claim under Fla. Stat. § 581.1845. Order holding DOACS liable to class was entered after bench trial in November 2007. Jury trial on damages is set for May 2009.		
<b>Who is representing (of record) the state in this lawsuit? Check all that apply.</b>	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
<b>If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).</b>	Hanzman & Gilbert LLP Weiss, Serota, Helfman, Pastoriza & Guedes, P.A. Lytal Reiter Clark Fountain & Williams, P.A. Berman, Devalerio, Pease, Tabacco, Burt & Pucillo		

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<b>Agency:</b>	Department of Agriculture and Consumer Services		
<b>Contact Person:</b>	Wesley R. Parsons	<b>Phone Number:</b>	305-460-1000
<b>Names of the Parties:</b>	Castin v. DOACS Sorensen v. DOACS Baker & Ryan v. DOACS Castin & Wesley v. DOACS		
<b>Court with Jurisdiction:</b>	Palm Beach County Circuit Court		
<b>Case Number:</b>	Castin: 02-5747 Sorensen: 03-5660 Baker & Ryan: 03-2200 Castin & Wesley: 01-7067		
<b>Summary of the Complaint:</b>	Lawsuits for damages for removal of canker-exposed and canker-infected citrus trees in Palm Beach County under theories of inverse condemnation and statutory liability.		
<b>Amount of the Claim:</b>	Unliquidated.		
<b>Specific Law(s) Challenged:</b>	Fla. Stat. § 581.1845.		
<b>Status of the Case:</b>	Castin, Sorensen, and Baker & Ryan have been dismissed. Castin and Sorensen are on appeal to Fourth District. Castin & Wesley is not active.		
<b>Who is representing (of record) the state in this lawsuit? Check all that apply.</b>	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
<b>If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).</b>	Law Offices of Malcolm Misuraca Barry M. Silver, P.A. Stokes Law Office LLP		

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*For directions on completing this schedule, please see the "Legislative Budget Request (LBR) Instructions" located on the Governor's website.*

<b>Agency:</b>	Department of Agriculture and Consumer Services		
<b>Contact Person:</b>	Wesley R. Parsons	<b>Phone Number:</b>	305-460-1000
<b>Names of the Parties:</b>	Dellaselva v. DOACS		
<b>Court with Jurisdiction:</b>	Lee County Circuit Court		
<b>Case Number:</b>	03-1947		
<b>Summary of the Complaint:</b>	Lawsuit for damages for removal of canker-exposed citrus trees in Lee County under theories of inverse condemnation and statutory liability.		
<b>Amount of the Claim:</b>	Unliquidated, but likely more than \$10 million.		
<b>Specific Law(s) Challenged:</b>	Fla. Stat. § 581.1845.		
<b>Status of the Case:</b>	Court certified class of Lee County who lost canker-exposed trees, and certification was affirmed by Second District Court of Appeal.		
<b>Who is representing (of record) the state in this lawsuit? Check all that apply.</b>		Agency Counsel	
		Office of the Attorney General or Division of Risk Management	
	X	Outside Contract Counsel	
<b>If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).</b>	Hanzman & Gilbert LLP Weiss, Serota, Helfman, Pastoriza & Guedes, P.A. Lytal Reiter Clark Fountain & Williams, P.A. Berman, Devalerio, Pease, Tabacco, Burt & Pucillo		



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<b>Agency:</b>	Department of Agriculture and Consumer Services		
<b>Contact Person:</b>	Wesley R. Parsons	<b>Phone Number:</b>	305-460-1000
<b>Names of the Parties:</b>	Ayers v. DOACS		
<b>Court with Jurisdiction:</b>	Orange County Circuit Court		
<b>Case Number:</b>	05 CA 4120 #37		
<b>Summary of the Complaint:</b>	Lawsuit for damages for removal of canker-exposed citrus trees in Orange County under theories of inverse condemnation and statutory liability.		
<b>Amount of the Claim:</b>	Unliquidated, but likely more than \$10 million.		
<b>Specific Law(s) Challenged:</b>	Fla. Stat. § 581.1845.		
<b>Status of the Case:</b>	Class certification has been requested but not yet ordered.		
<b>Who is representing (of record) the state in this lawsuit? Check all that apply.</b>	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
<b>If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).</b>	Hanzman & Gilbert, LLP Weiss, Serota, Helfman, Pastoriza & Guedes, P.A. Lytal Reiter Clark Fountain & Williams, P.A. Berman, Devalerio, Pease, Tabacco, Burt & Pucillo		

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<b>Agency:</b>	Department of Agriculture and Consumer Services		
<b>Contact Person:</b>	Wesley R. Parsons	<b>Phone Number:</b>	305-858-5555
<b>Names of the Parties:</b>	Patchen v. DOACS		
<b>Court with Jurisdiction:</b>	Miami-Dade County Circuit Court		
<b>Case Number:</b>	00-29271		
<b>Summary of the Complaint:</b>	Lawsuit for damages for removal of canker-exposed citrus trees belonging to Mr. and Mrs. Patchen under theory of inverse condemnation.		
<b>Amount of the Claim:</b>	Unliquidated, but estimated at thousands of dollars.		
<b>Specific Law(s) Challenged:</b>	Fla. Stat. § 581.1845.		
<b>Status of the Case:</b>	Summary judgment against Patchens was reversed by Florida Supreme Court. Further proceedings will be held in trial court to determine compensation due plaintiffs, if any. This case is not a class action.		
<b>Who is representing (of record) the state in this lawsuit? Check all that apply.</b>	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
<b>If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).</b>	N/A		

## Schedule VII: Agency Litigation Inventory

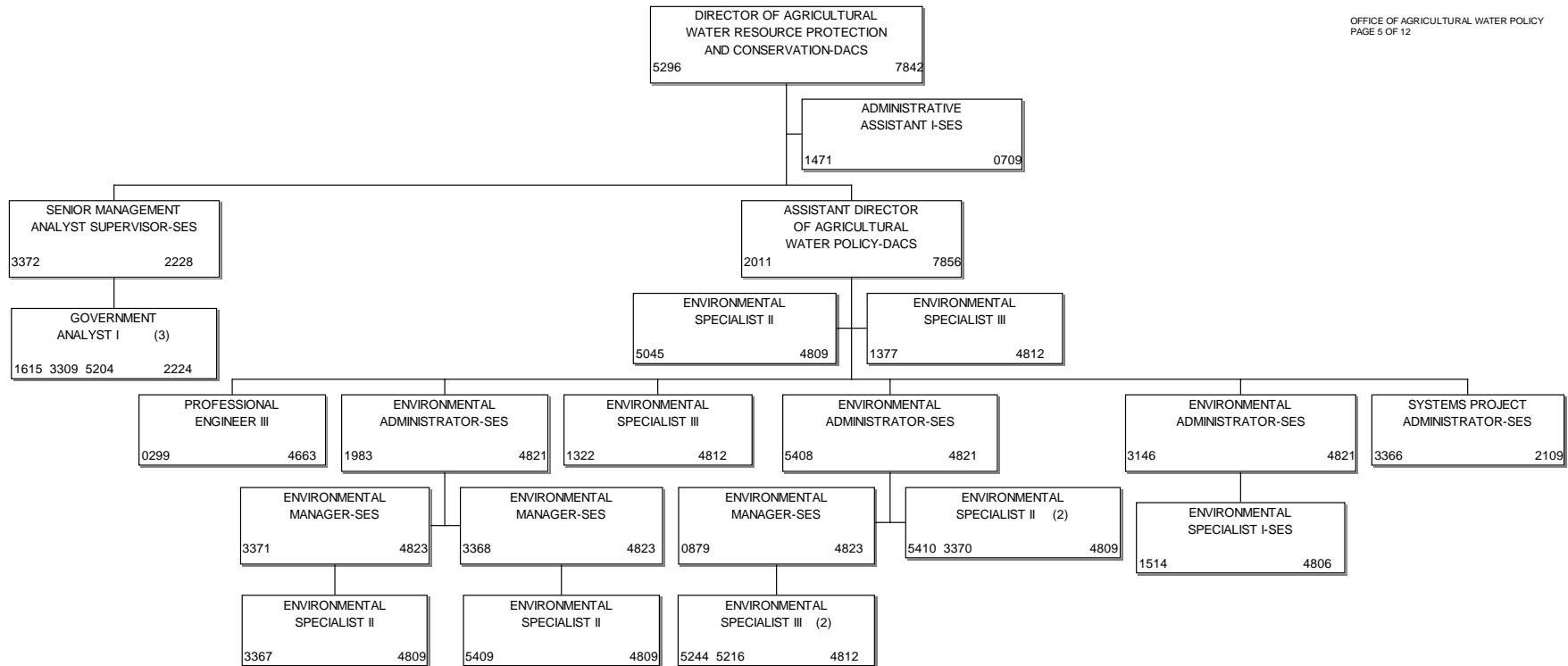
*For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.*

<b>Agency:</b>	Department of Agriculture and Consumer Services		
<b>Contact Person:</b>	Wesley R. Parsons	<b>Phone Number:</b>	305-460-1000
<b>Names of the Parties:</b>	Reed Brothers v. DOACS Dilley v. DOACS		
<b>Court with Jurisdiction:</b>	Dilley (Highlands County Circuit Court) Reed Brothers (Polk County Circuit Court)		
<b>Case Number:</b>	Dilley: 96-47 GC Reed Brothers: 2005CA-004729-0000-WH		
<b>Summary of the Complaint:</b>	Lawsuits for damages for destroyed commercial citrus.		
<b>Amount of the Claim:</b>	Reed Bros. demanded several million dollars. No demand in Dilley.		
<b>Specific Law(s) Challenged:</b>	N/A		
<b>Status of the Case:</b>	In Reed, judgment of liability was entered in Department’s favor and affirmed on appeal. Dilley is not active. These cases are not class actions.		
<b>Who is representing (of record) the state in this lawsuit? Check all that apply.</b>		Agency Counsel	
		Office of the Attorney General or Division of Risk Management	
	X	Outside Contract Counsel	
<b>If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).</b>	N/A		



# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES COMMISSIONER'S OFFICE

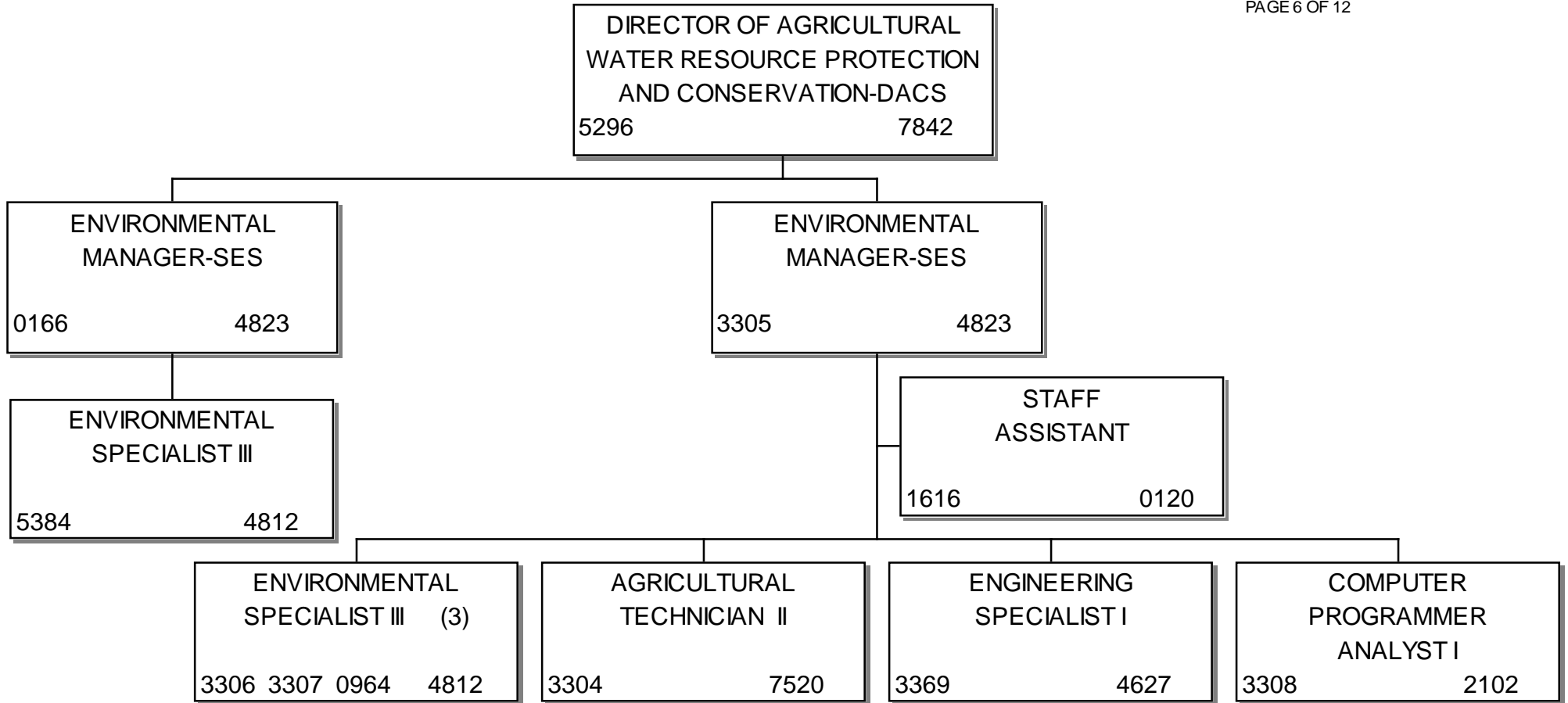
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PAGE 5 OF 12



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 1/11/2008

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
COMMISSIONER'S OFFICE**

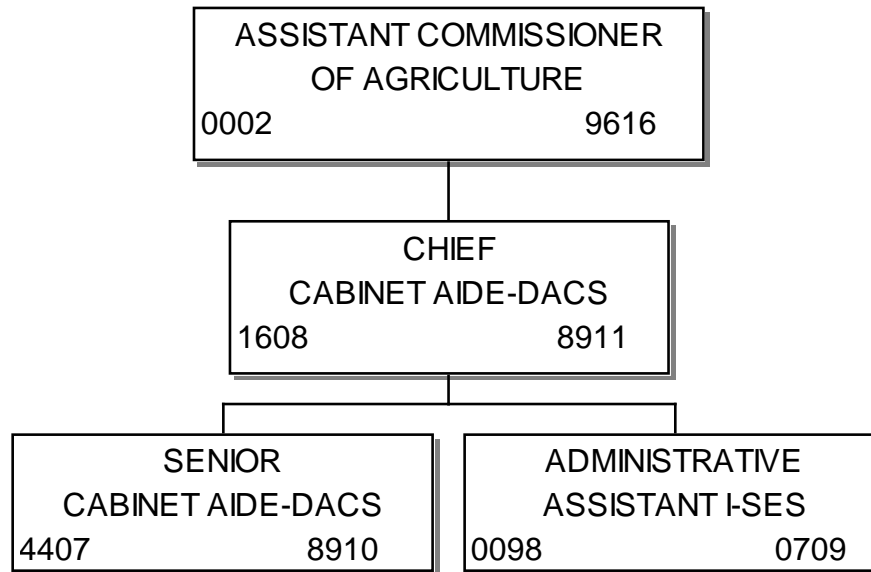
OFFICE OF AGRICULTURAL WATER POLICY  
PAGE 6 OF 12



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 10/03/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
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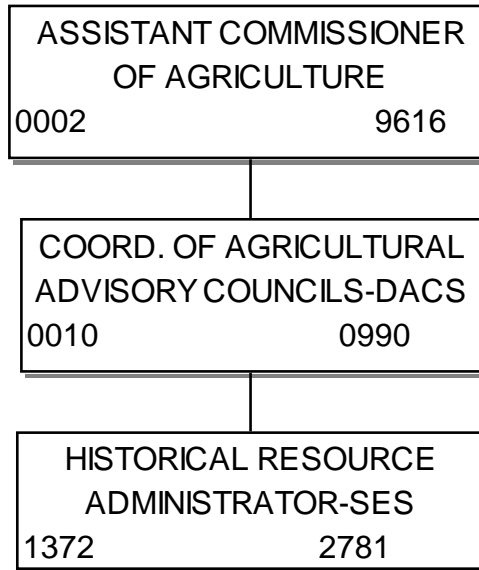
CABINET AFFAIRS  
PAGE 8 OF 12



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 07/16/2004

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
COMMISSIONER'S OFFICE**

EXECUTIVE PROGRAMS  
PAGE 9 OF 12

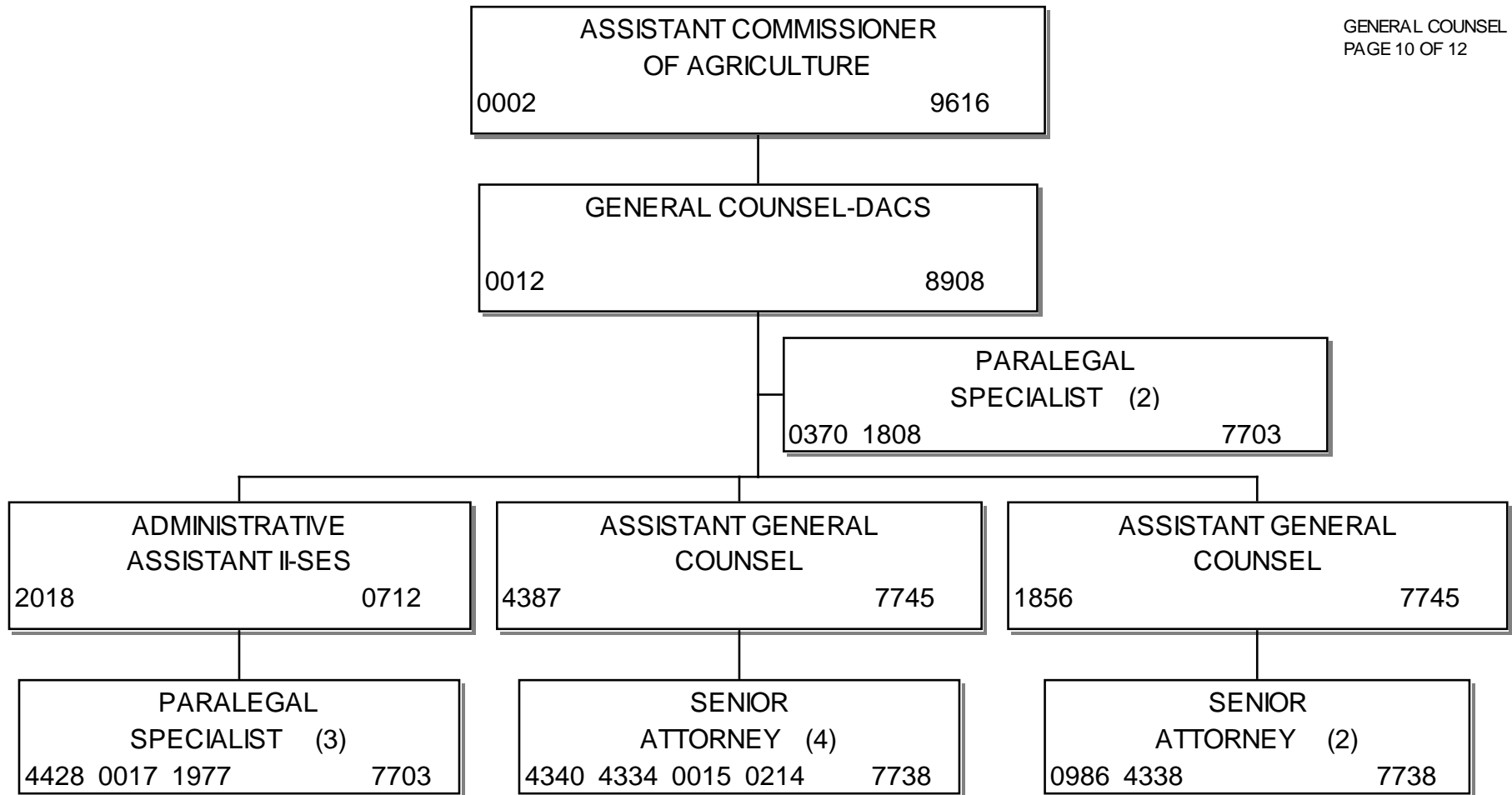


ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 07/16/2004



**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
COMMISSIONER'S OFFICE**

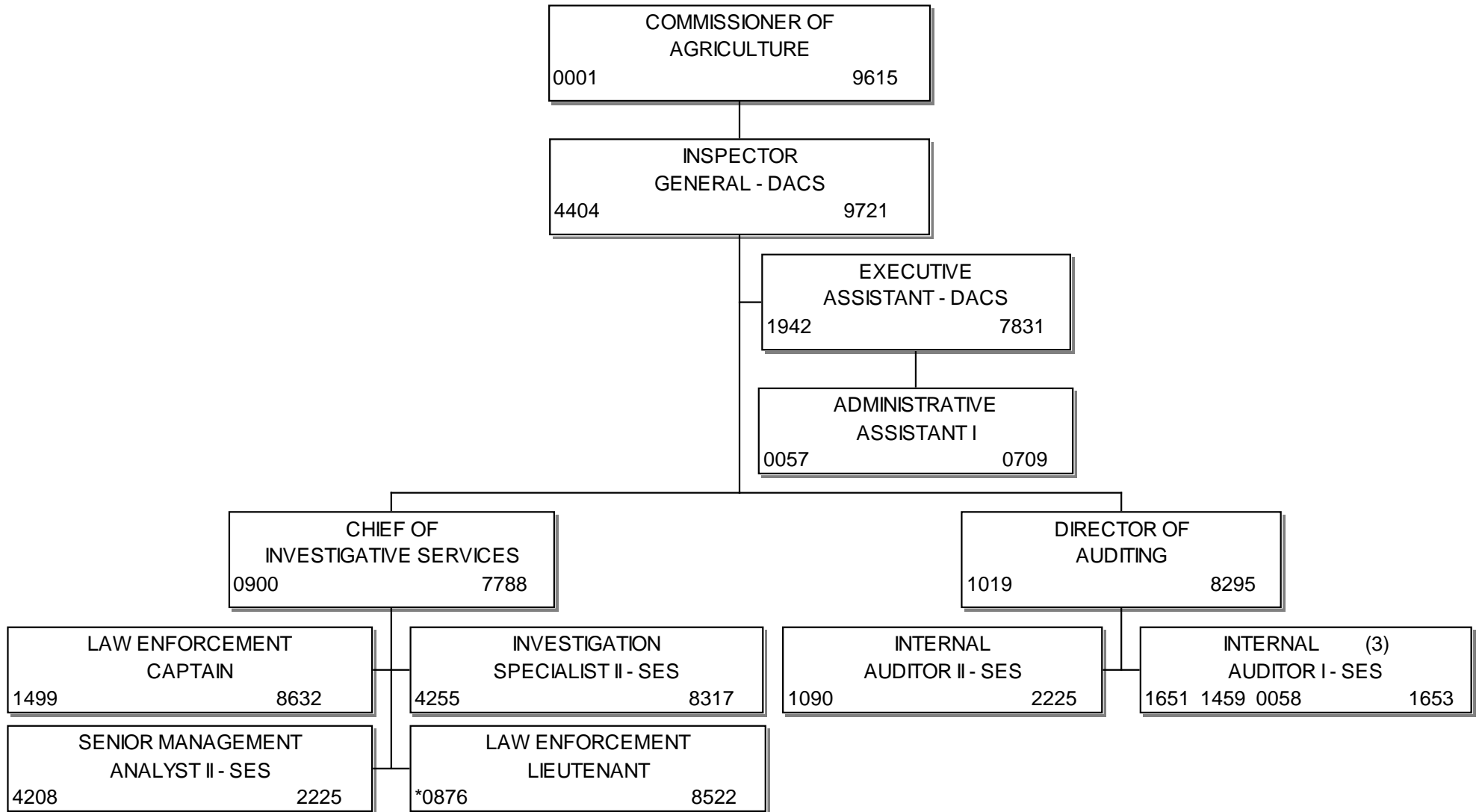
GENERAL COUNSEL  
PAGE 10 OF 12



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 06/17/2005

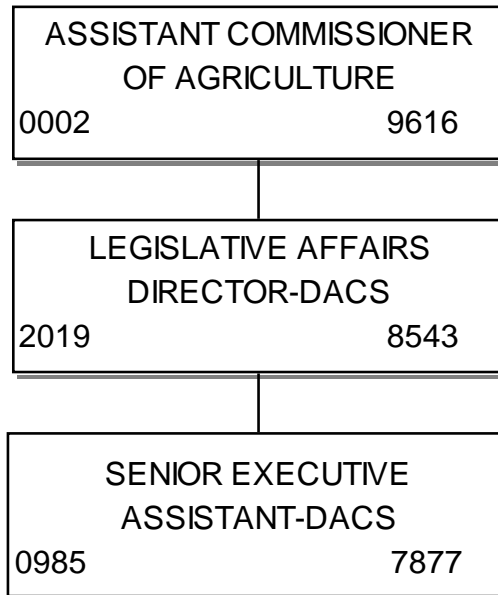
**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
COMMISSIONER'S OFFICE**

OFFICE OF INSPECTOR GENERAL  
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**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
COMMISSIONER'S OFFICE**

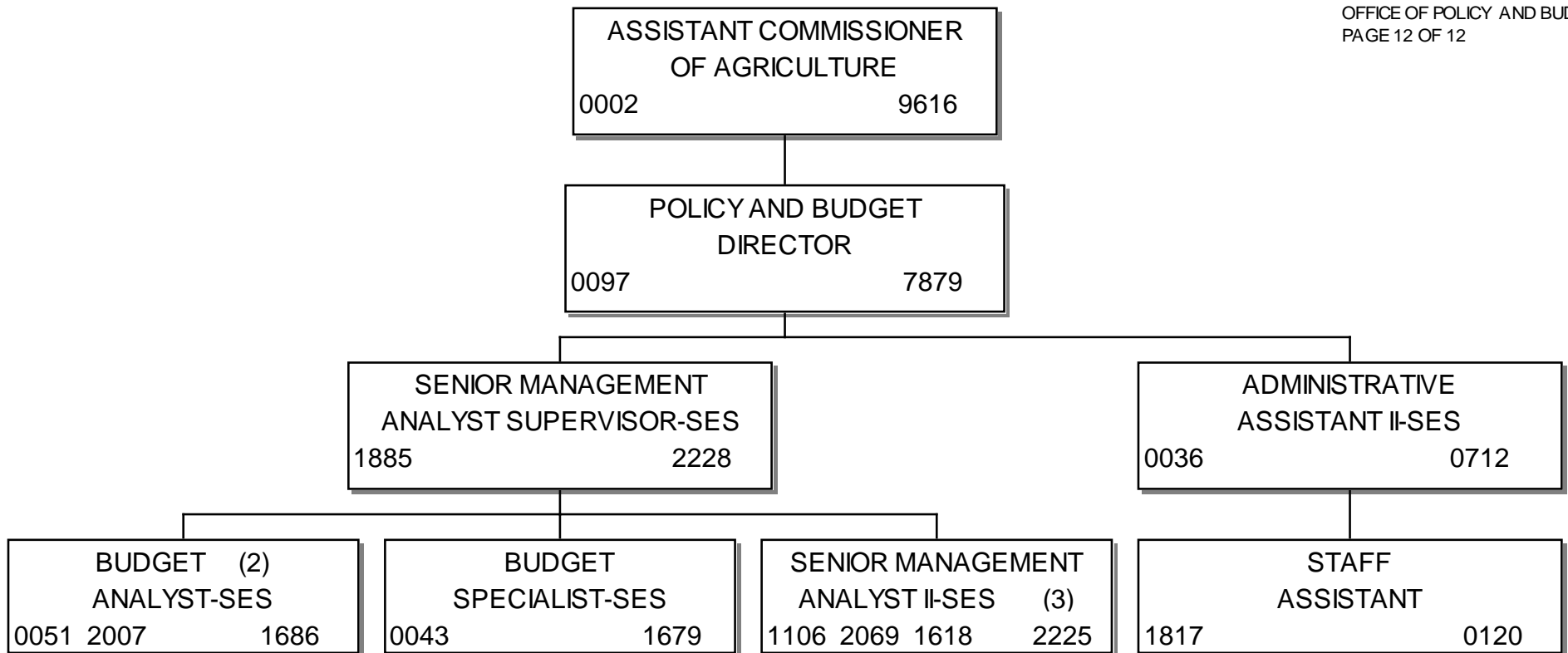
LEGISLATIVE AFFAIRS  
PAGE 11 OF 12



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 10/24/2003

**FLORIDA DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
COMMISSIONER'S OFFICE**

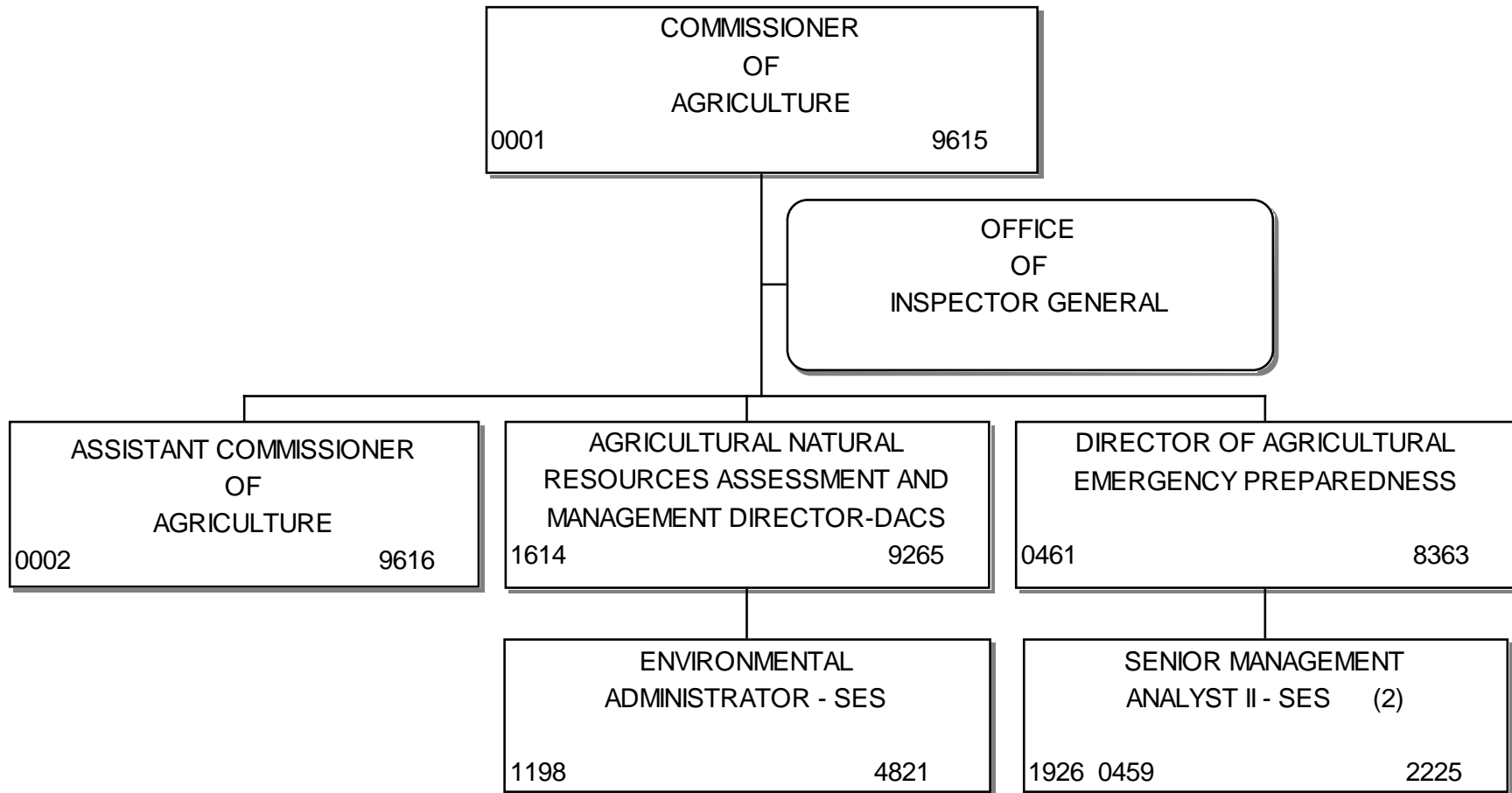
OFFICE OF POLICY AND BUDGET  
PAGE 12 OF 12



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 09/05/2007

**FLORIDA DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
COMMISSIONER'S OFFICE**

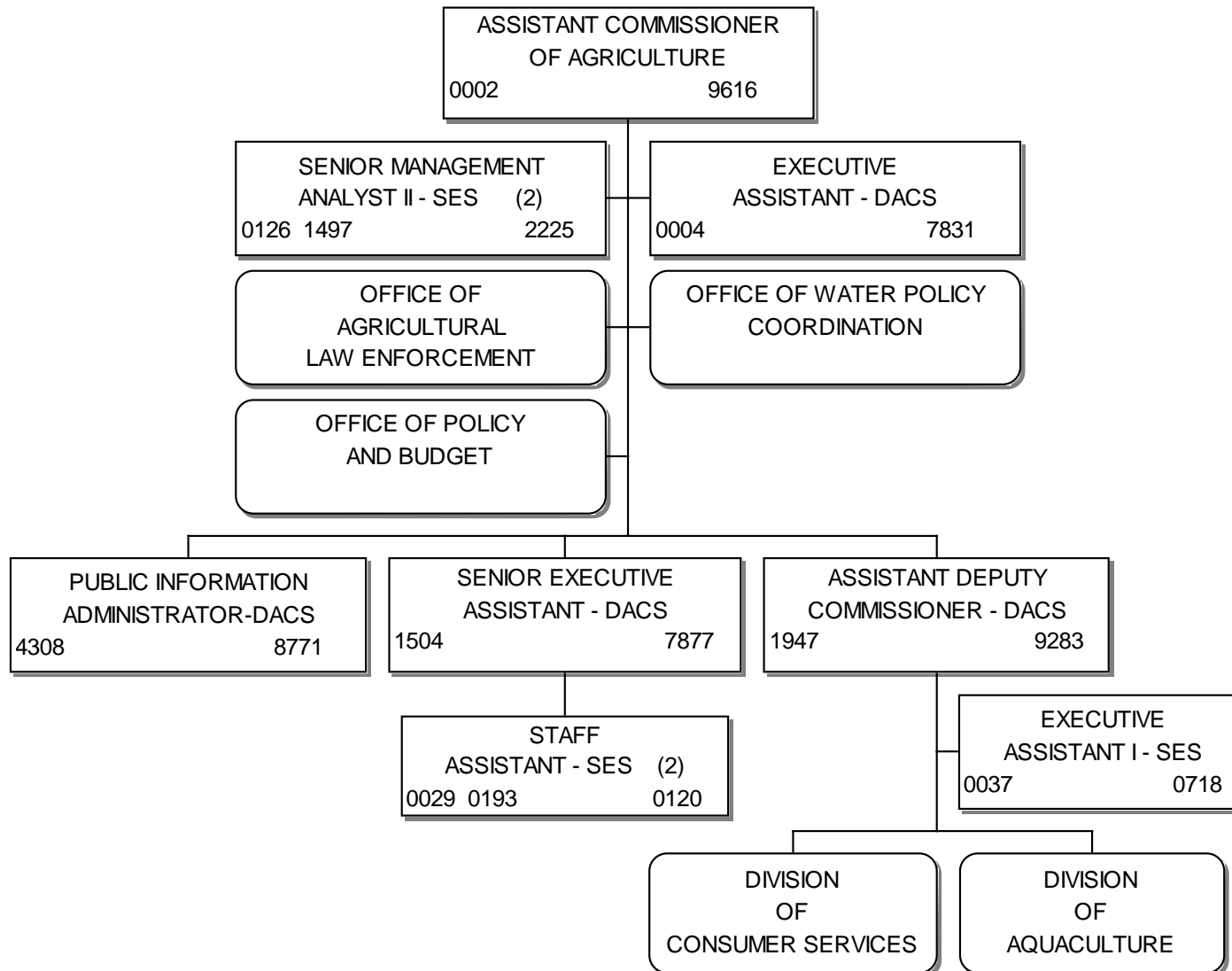
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PAGE 1 OF 12



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 08/25/2006

**FLORIDA DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
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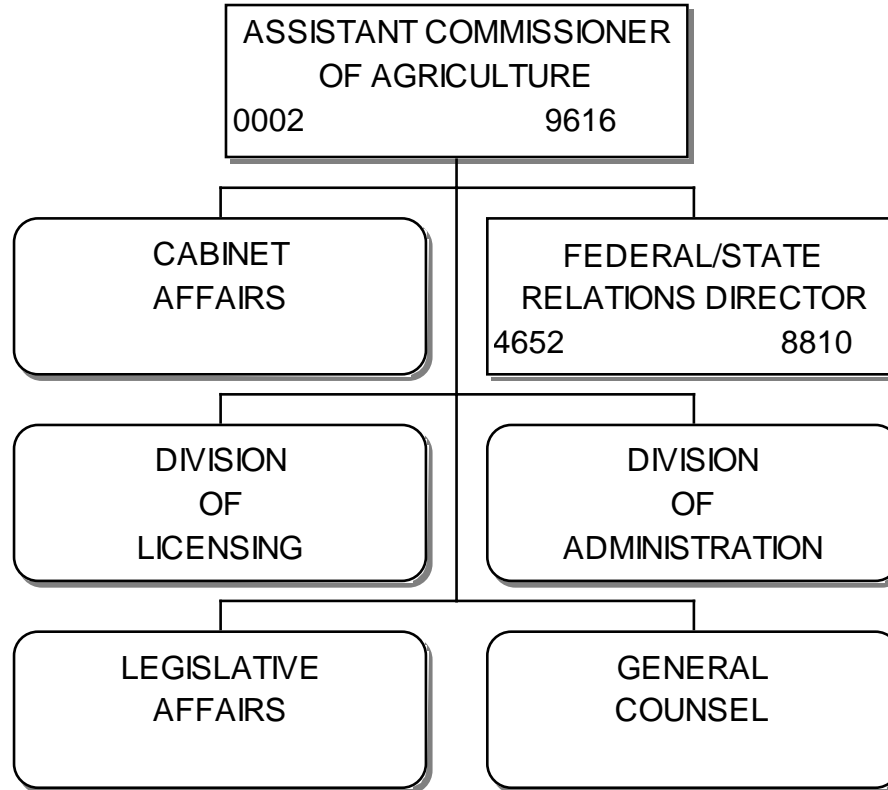
COMMISSIONER'S OFFICE  
PAGE 2 OF 12



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 09/05/2007

**FLORIDA DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
COMMISSIONER'S OFFICE**

COMMISSIONER'S OFFICE  
PAGE 3 OF 12



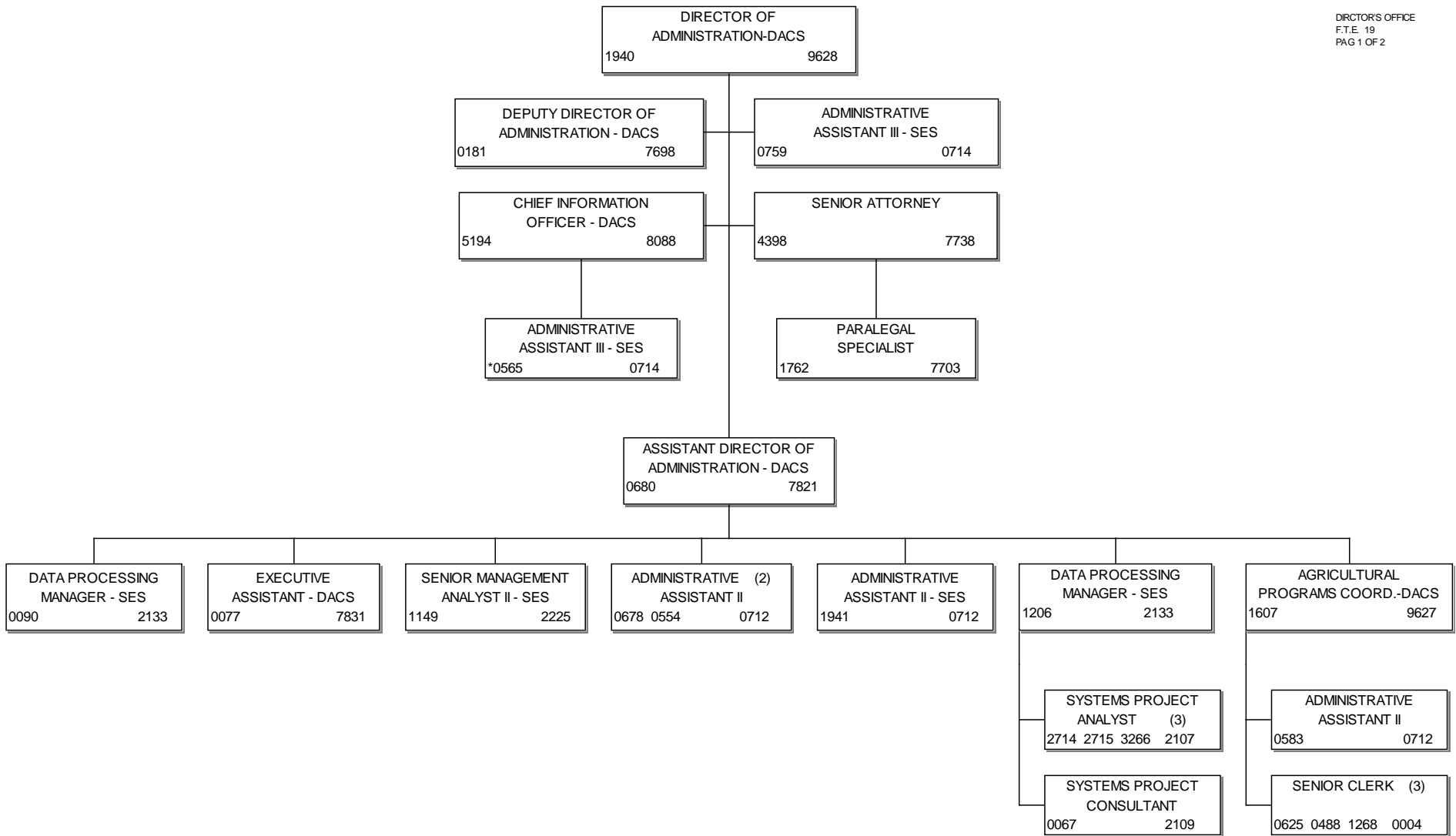
ELAINE COOPR, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 10/24/2003





# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF ADMINISTRATION

DIRECTOR'S OFFICE  
F.T.E. 19  
PAG 1 OF 2

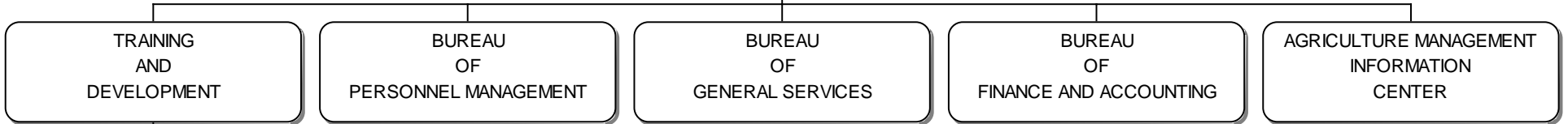


**DEPARTMENT OF AGRICULTURE  
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DIVISION OF ADMINISTRATION**

DIRECTOR'S OFFICE  
PAGE 2 OF 2

DIRECTOR OF  
ADMINISTRATION-DACS  
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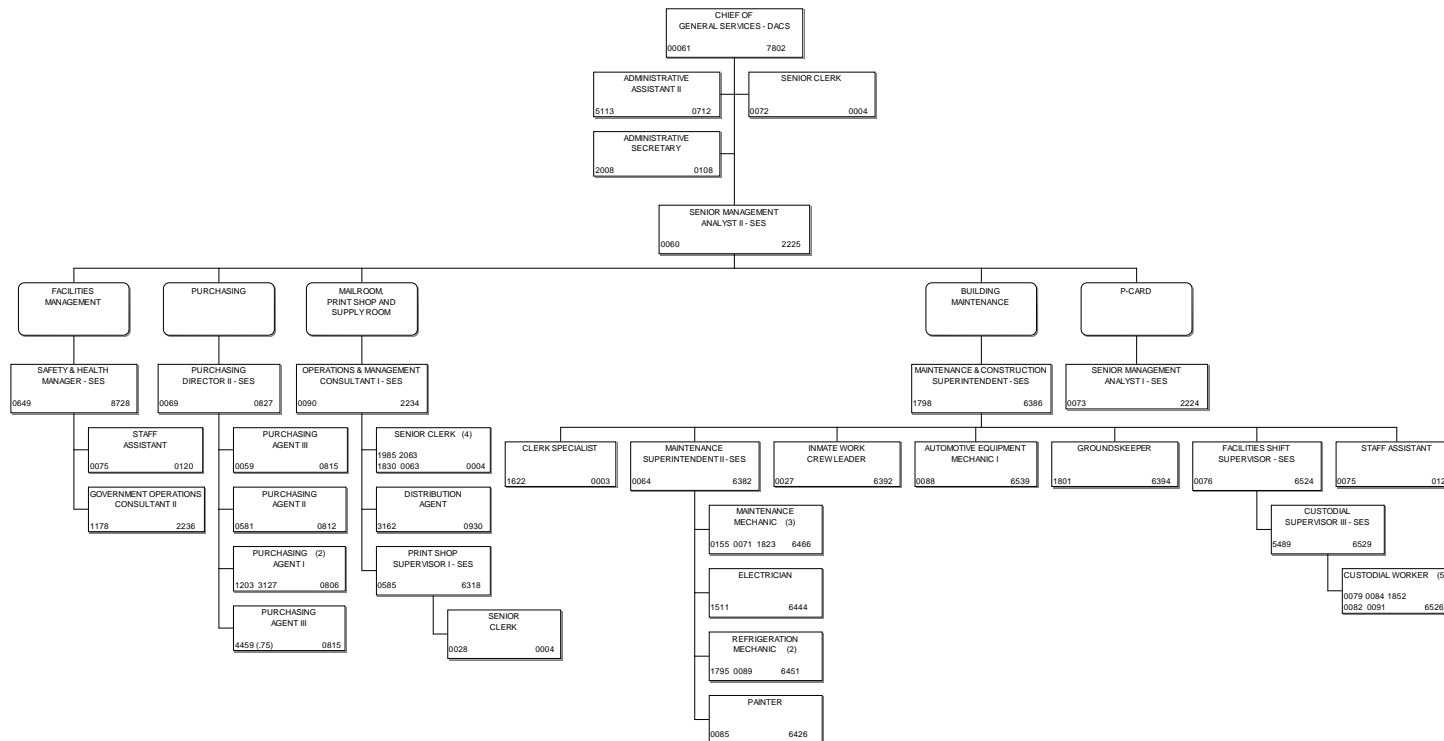
ASSISTANT DIRECTOR  
OF ADMINISTRATION-DACS  
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TRAINING & RESEARCH  
MANAGER-SES  
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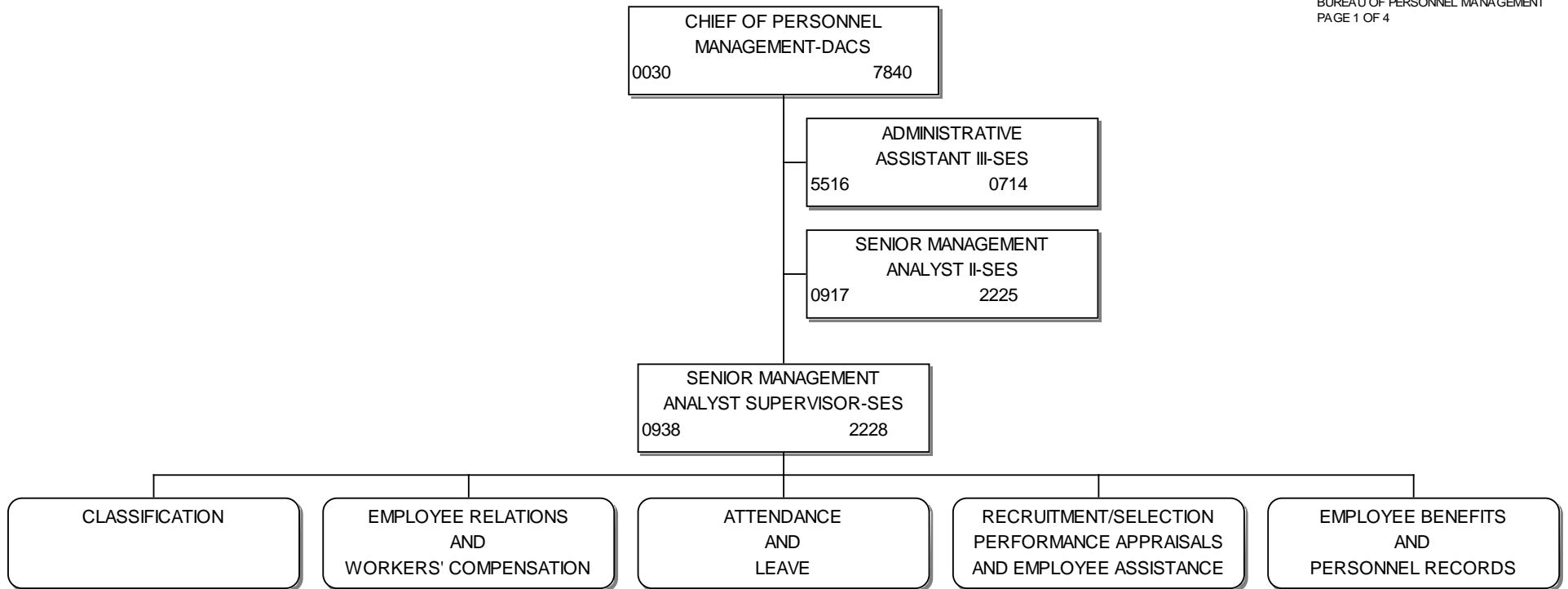
RESEARCH & TRAINING  
SPECIALIST            (2)  
0778 1829              1334

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF GENERAL SERVICES



# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF ADMINISTRATION

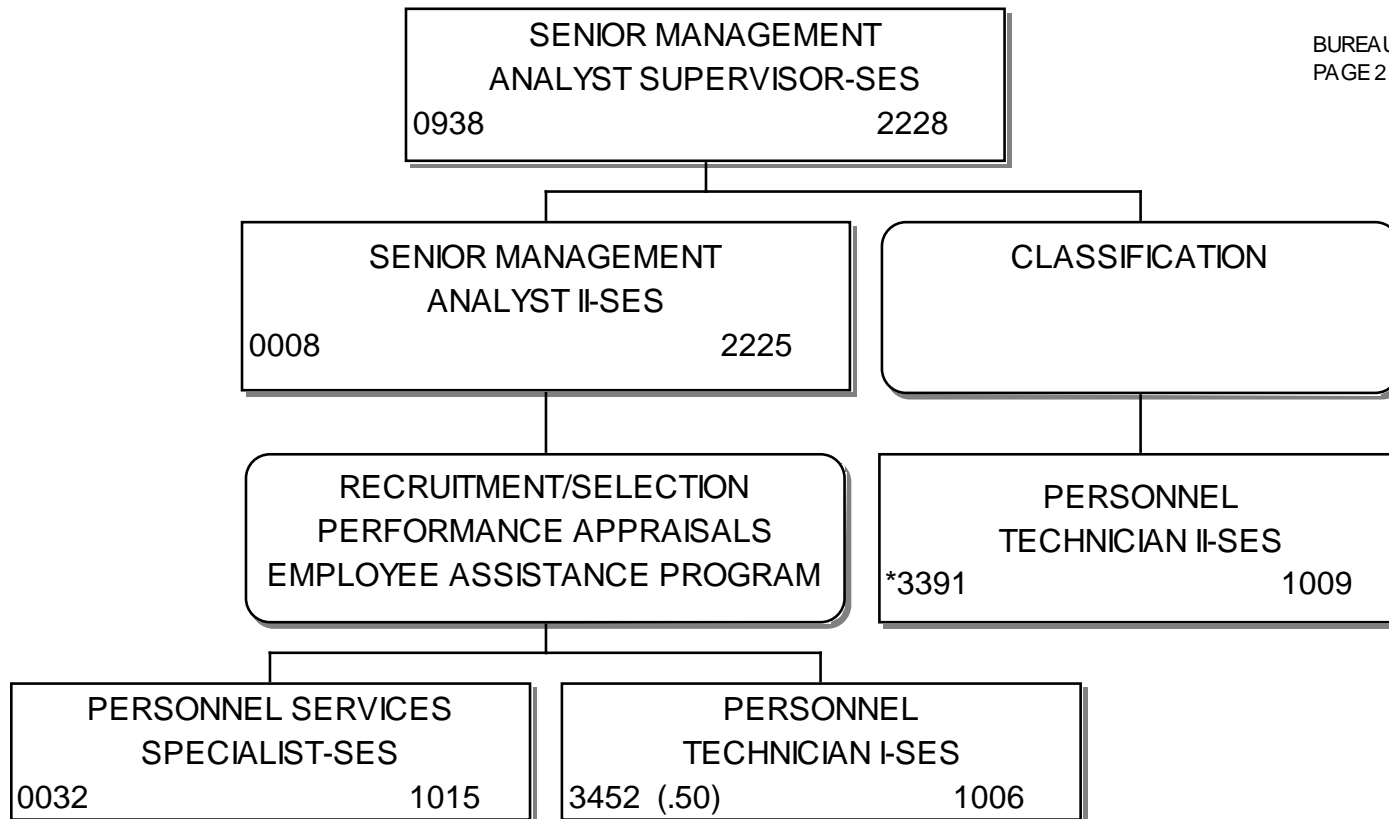
BUREAU OF PERSONNEL MANAGEMENT  
PAGE 1 OF 4



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 01/29/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF ADMINISTRATION**

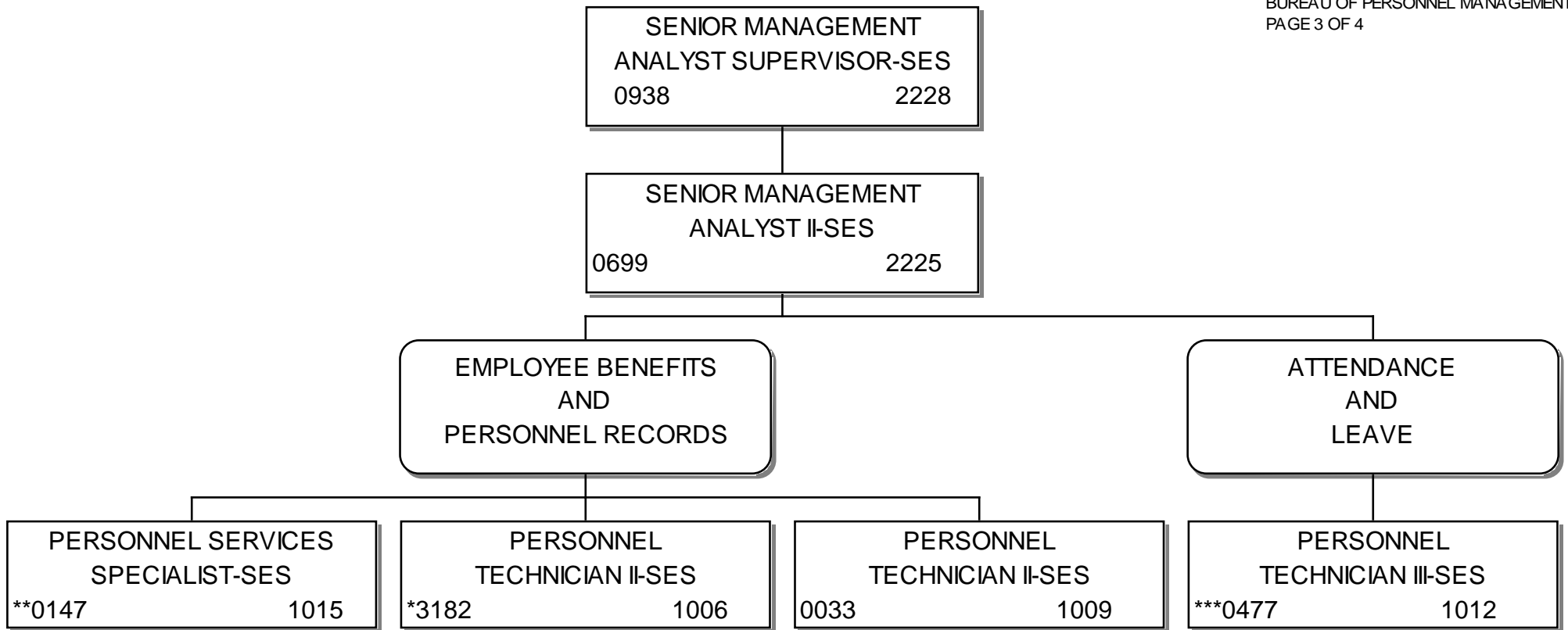
BUREAU OF PERSONNEL MANAGEMENT  
PAGE 2 OF 4



\*FUNDED FROM DIV. OF FORESTRY

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AND CONSUMER SERVICES  
DIVISION OF ADMINISTRATION**

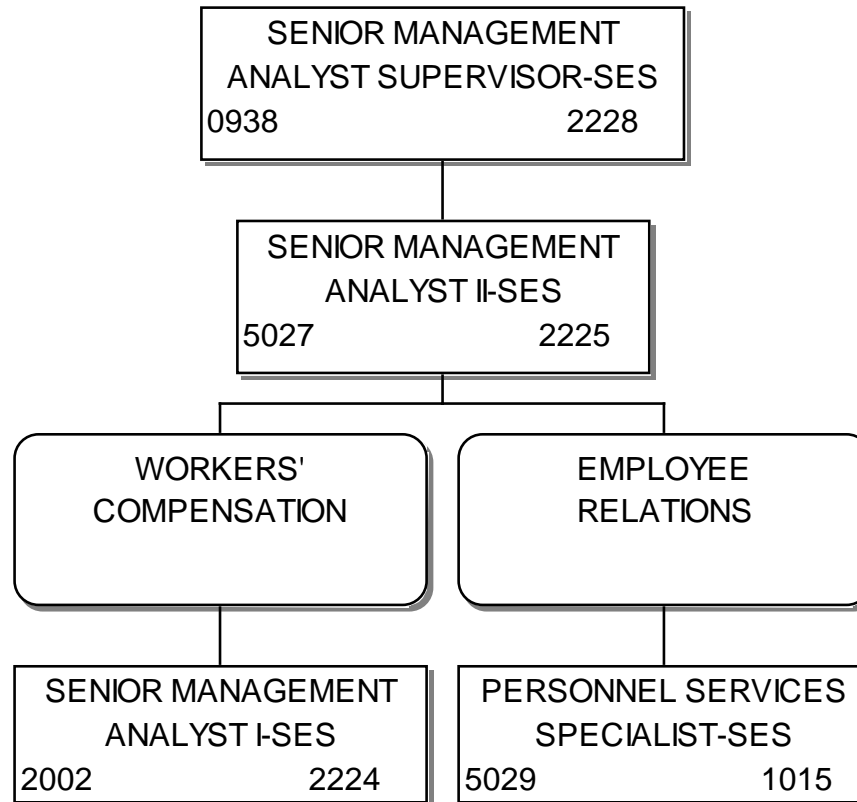
BUREAU OF PERSONNEL MANAGEMENT  
PAGE 3 OF 4



\*FUNDED FROM DIV. OF AQUACULTURE  
 \*\*FUNDED FROM DIV. AG. ENVIRONMENTAL SVS.  
 \*\*\*FUNDED FROM DIV. OF FOOD SAFETY

ELAINE COOPER, CHIEF OF  
 PERSONNEL MANAGEMENT  
 APPROVED DATE: 11/17/2006

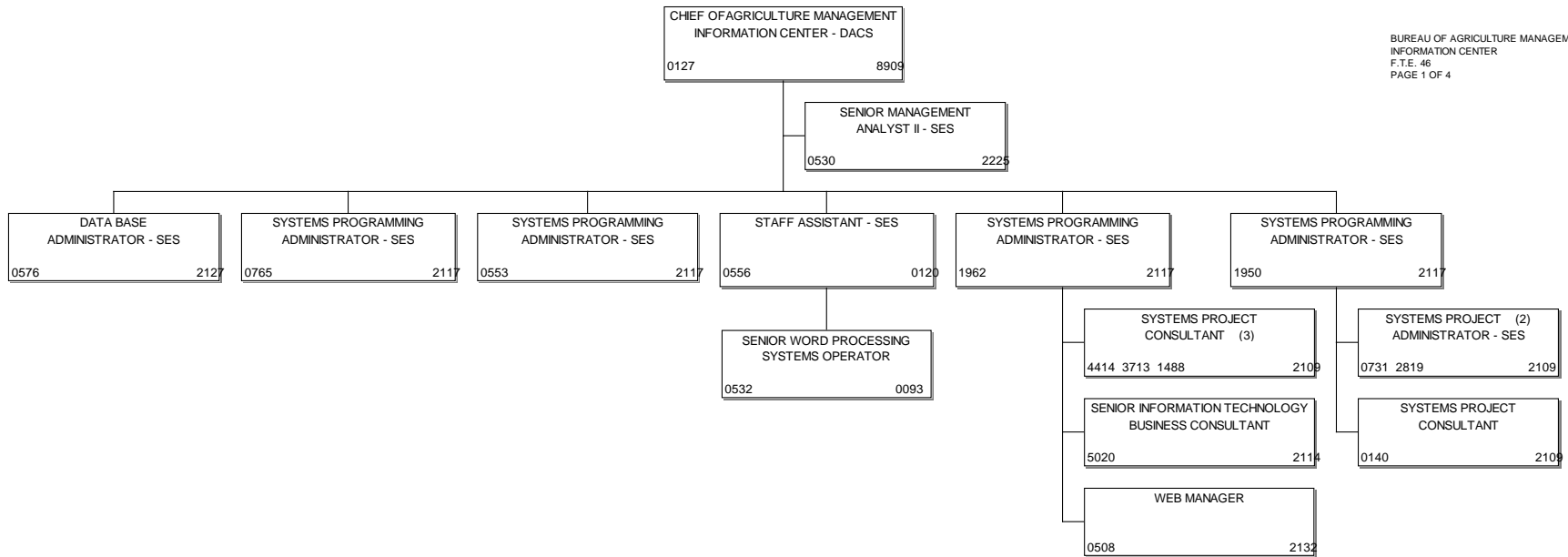
**DEPARTMENT OF AGRICULTURE  
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DIVISION OF ADMINISTRATION**



BUREAU OF PERSONNEL MANAGEMENT  
PAGE 4 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 02/11/2005

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF ADMINISTRATION



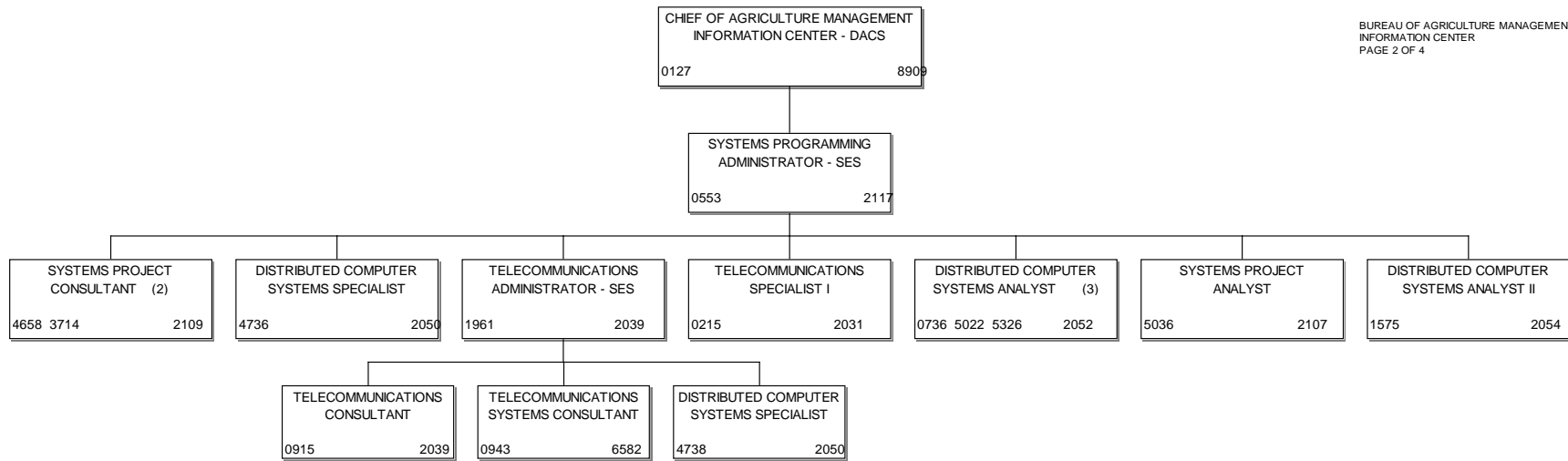
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PAGE 1 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 11/21/2007



# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF ADMINISTRATION

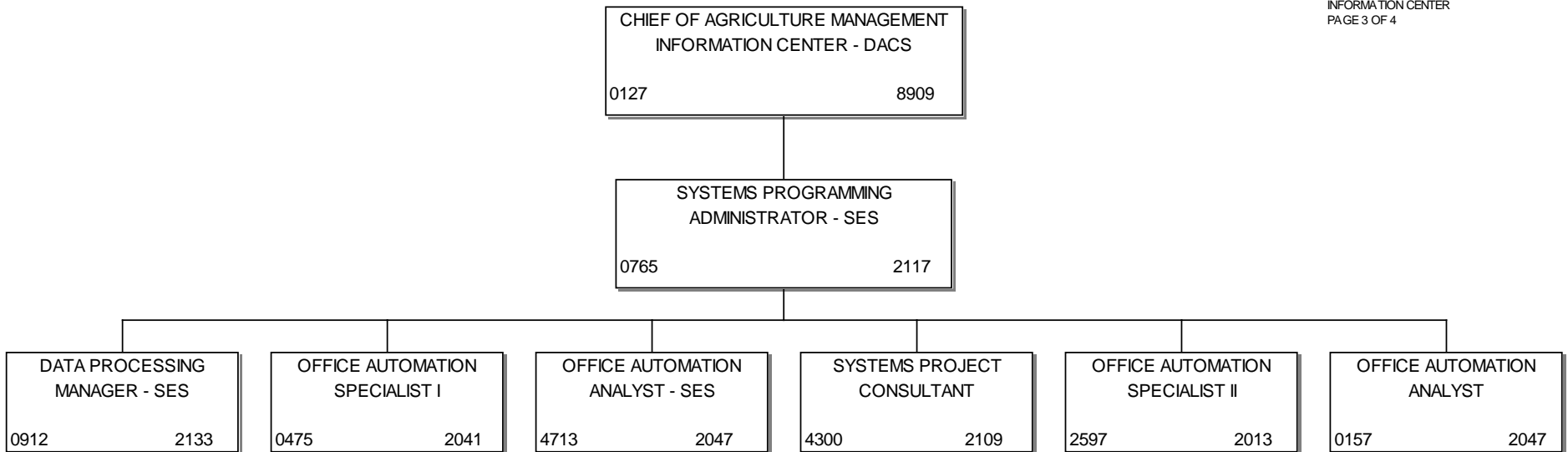
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PAGE 2 OF 4



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 06/01/2007

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF ADMINISTRATION

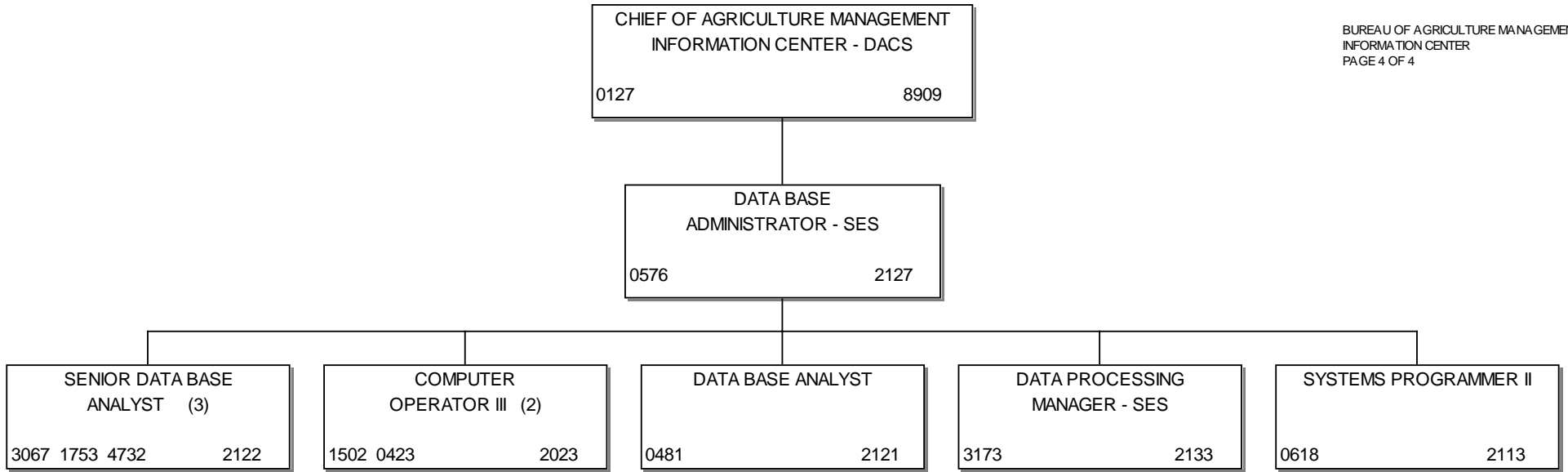
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ELAINE COOPER, CHIEF OF  
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APPROVED DATE: 01/26/2007

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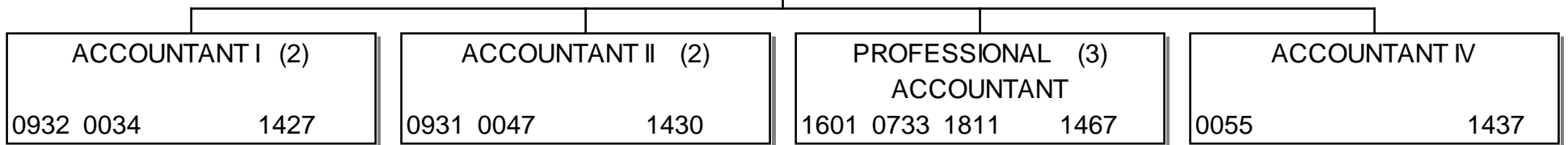
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**DEPARTMENT OF AGRICULTURE  
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FINANCE AND ACCOUNTING  
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DISBURSEMENT

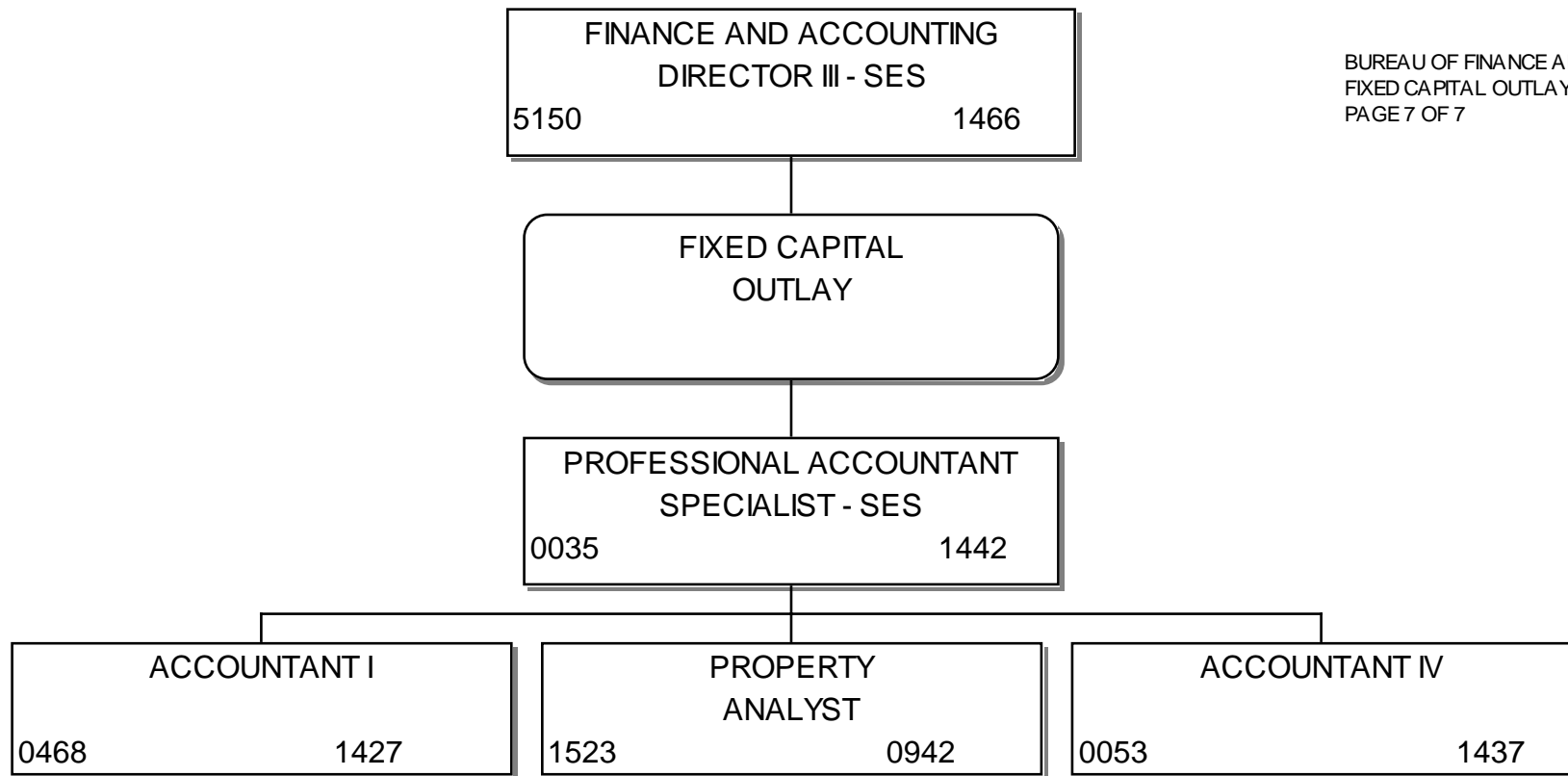
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ELAINE COOPER, CHIEF OF  
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APPROVED DATE: 05/04/2007

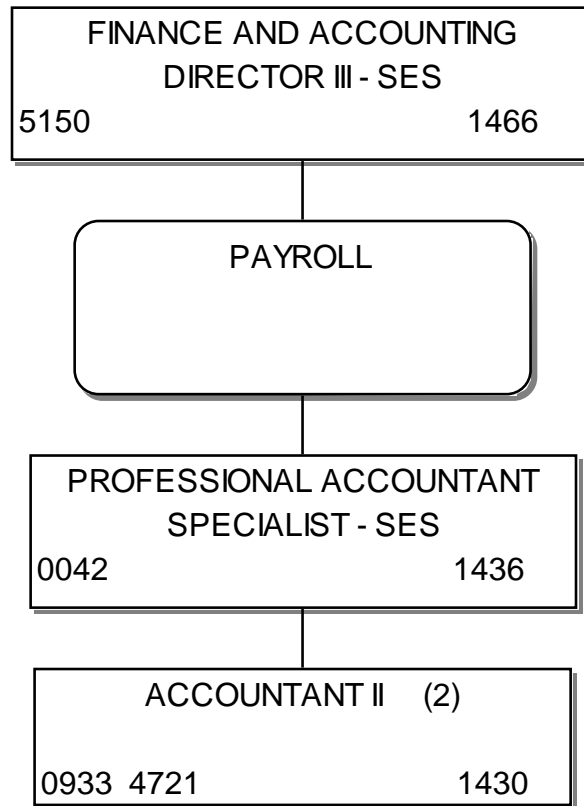
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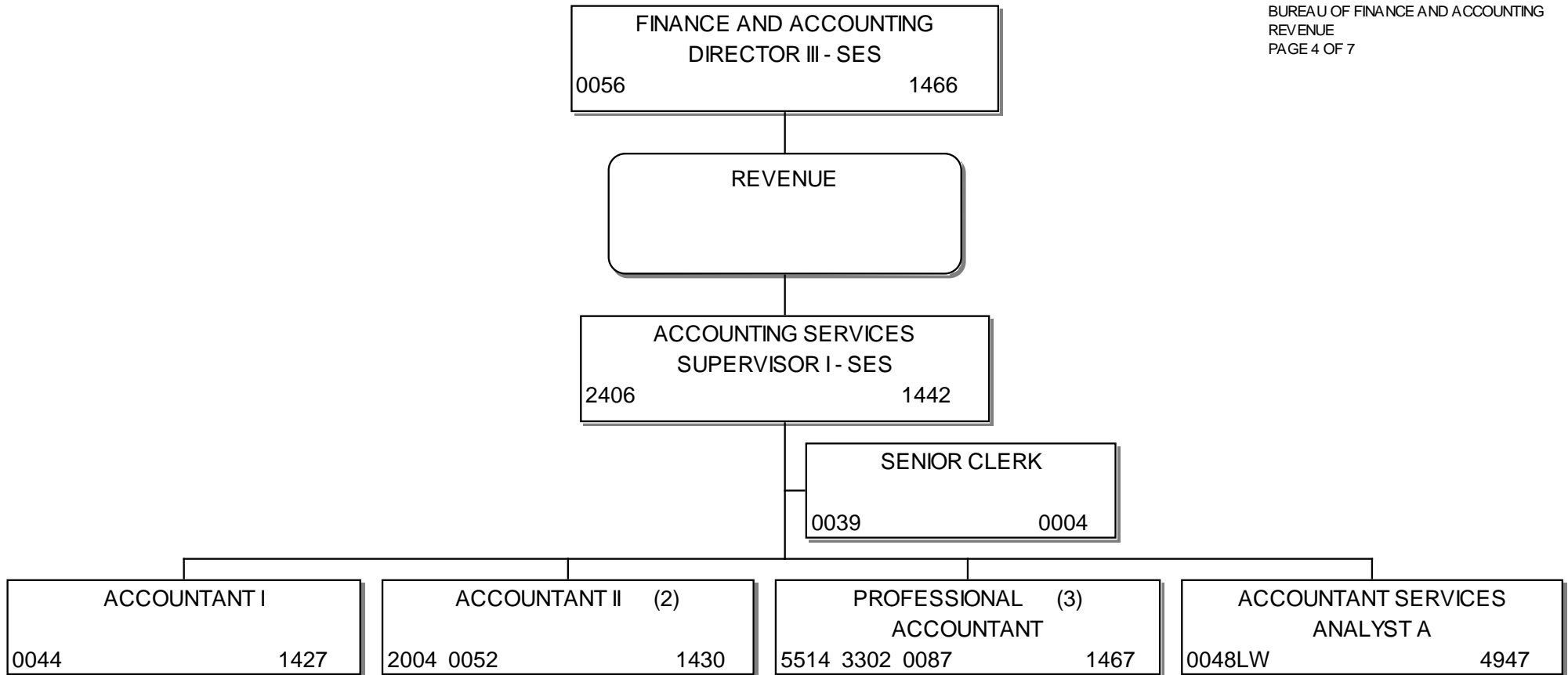


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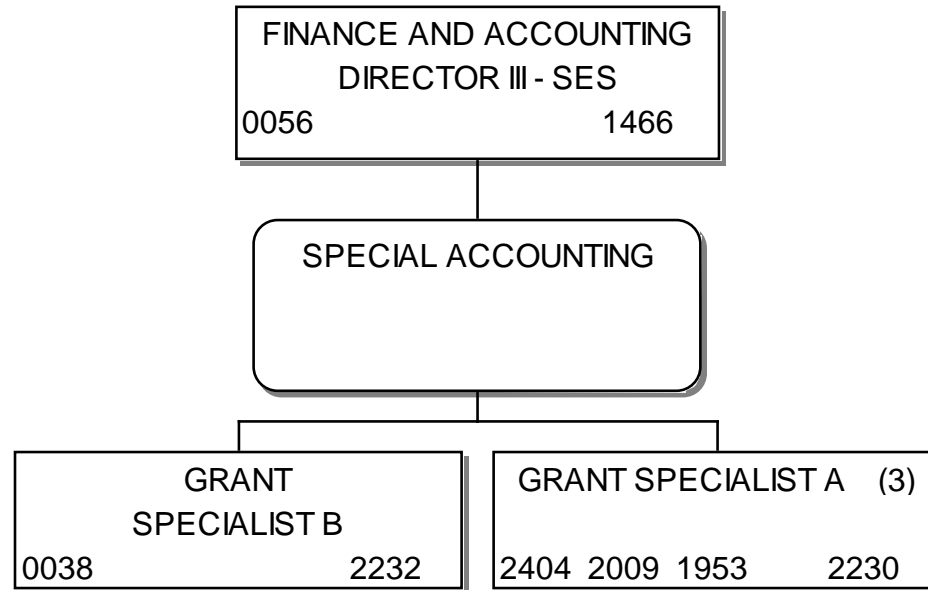
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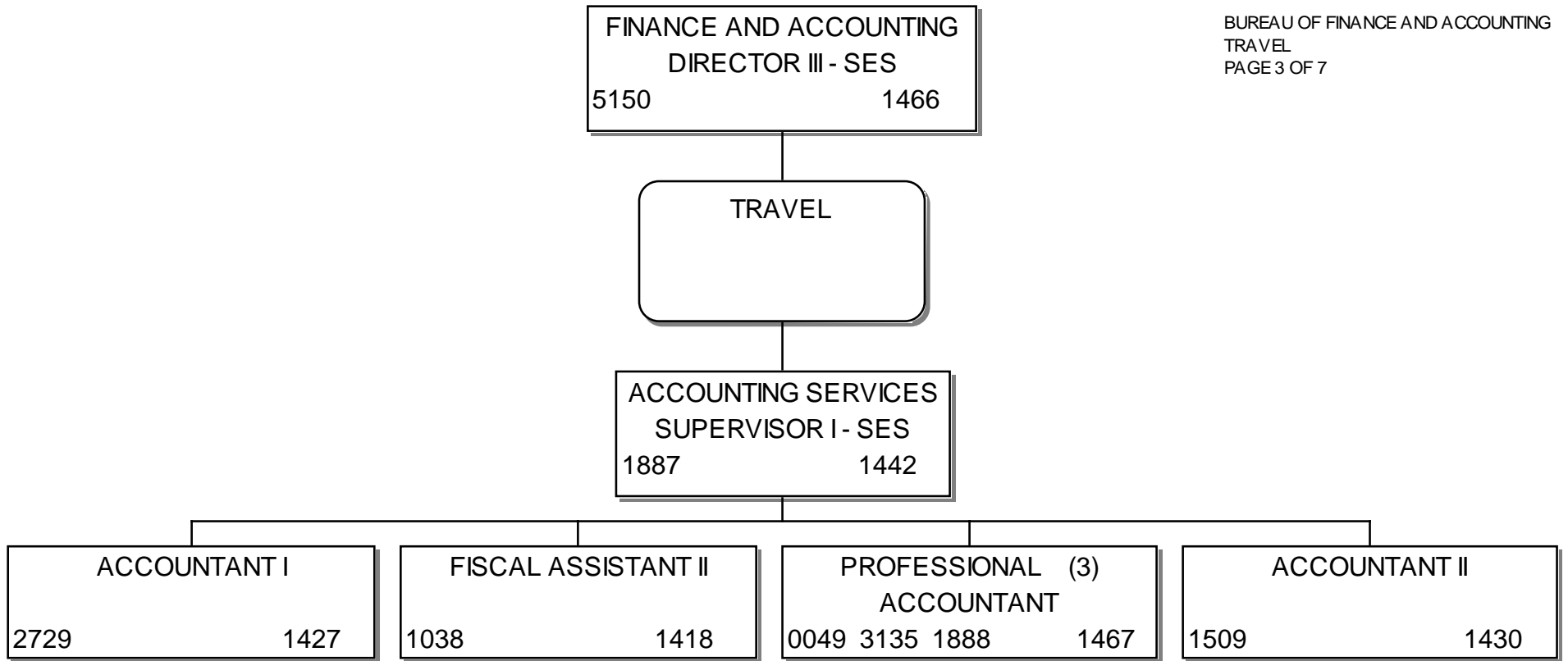
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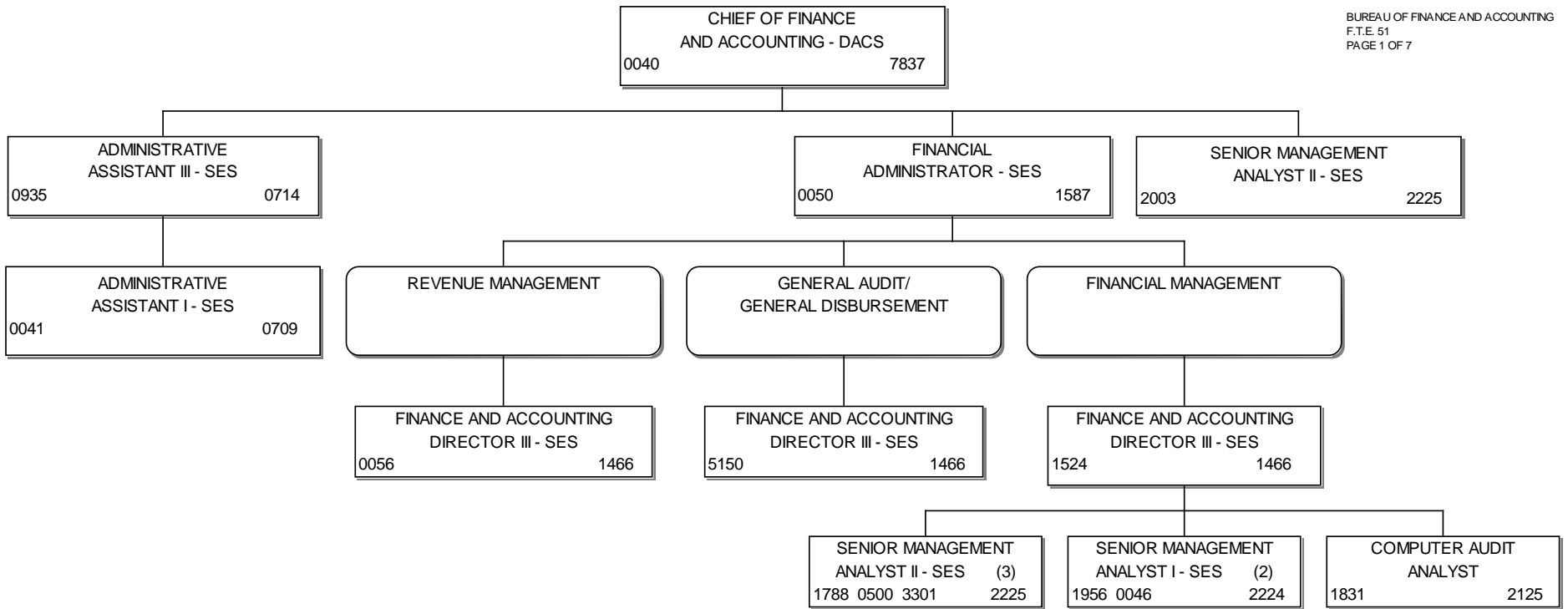
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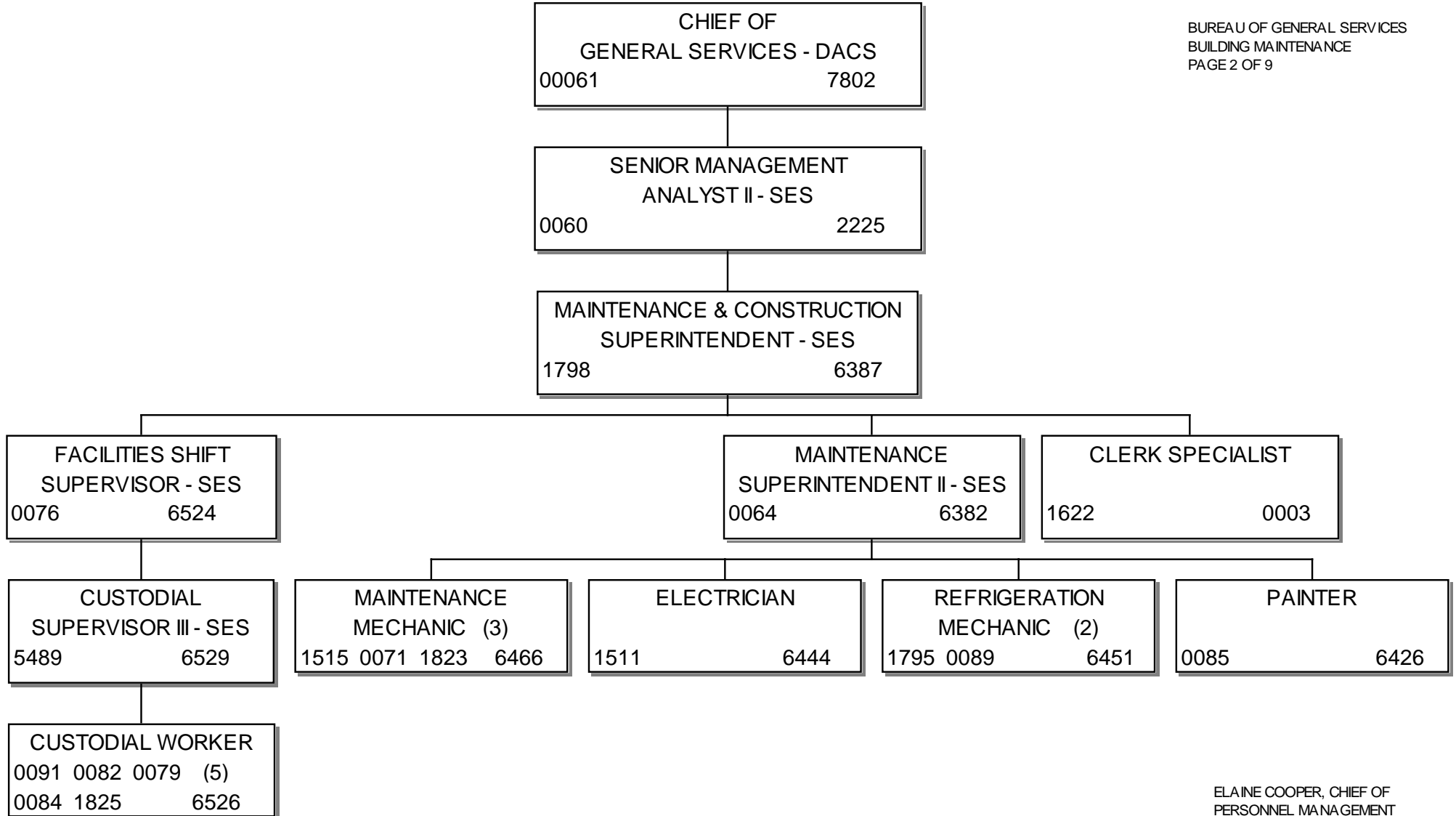
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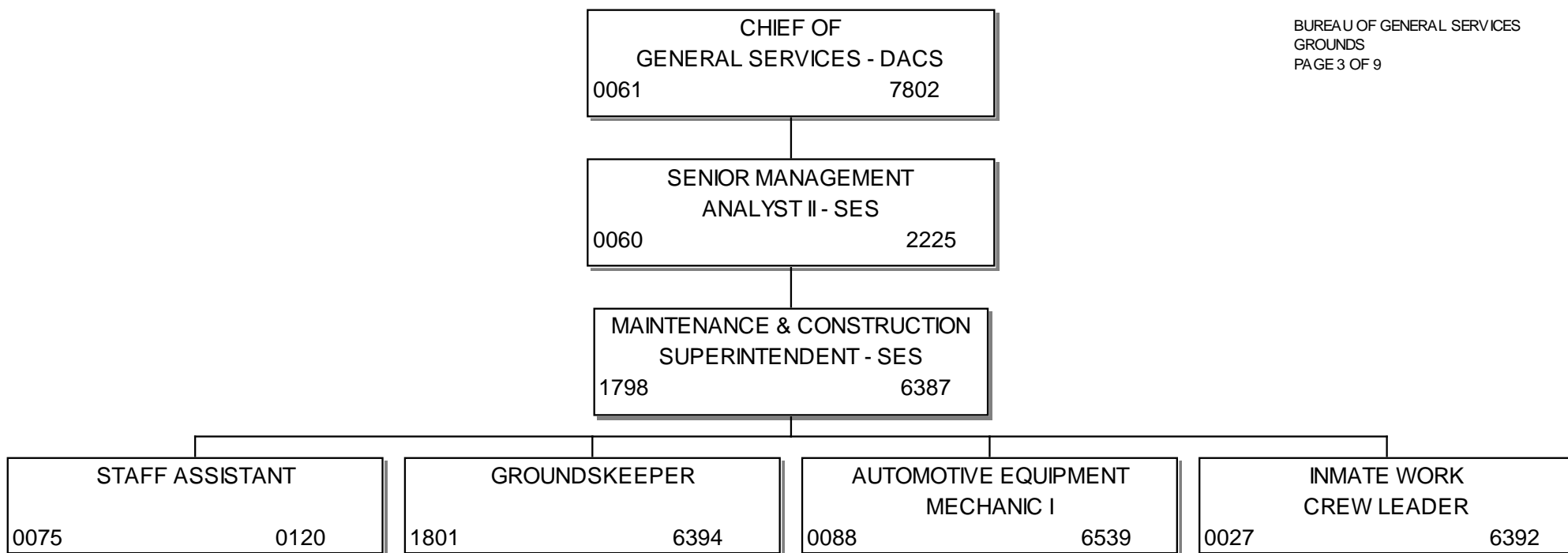
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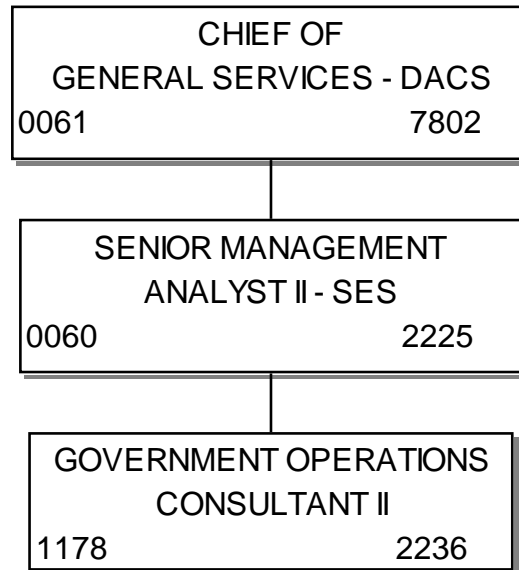
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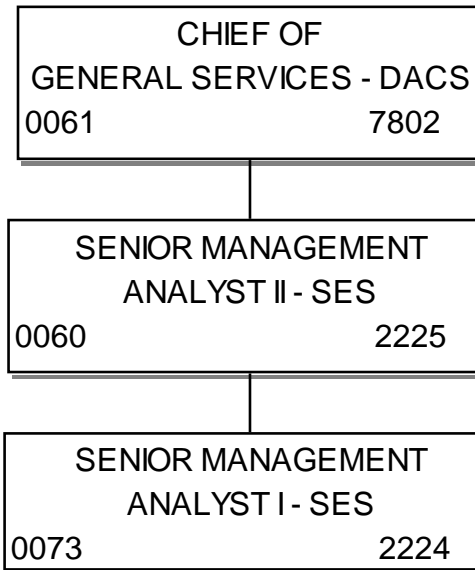
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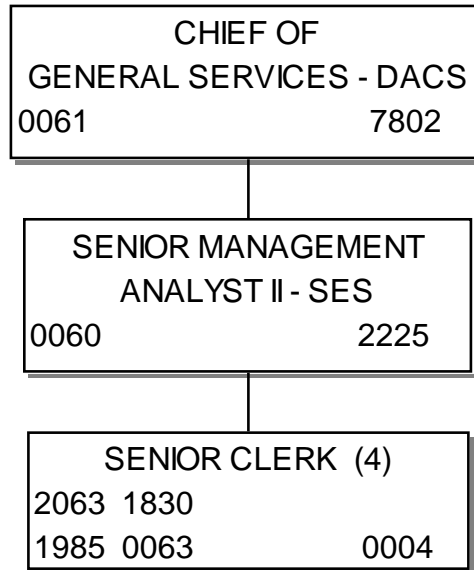
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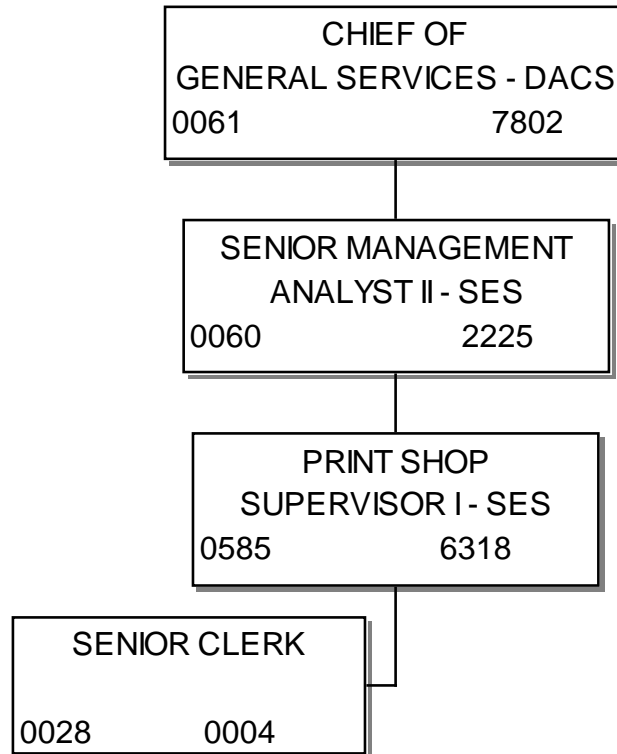
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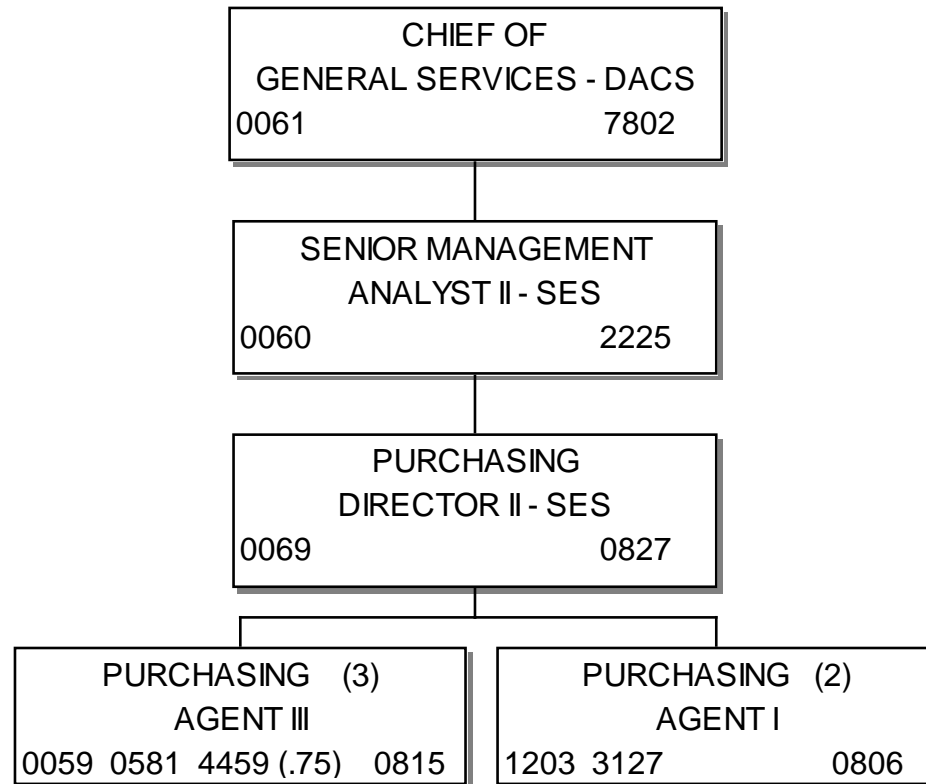


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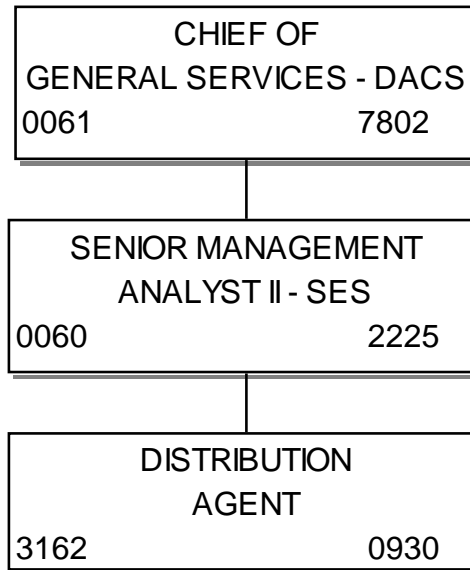
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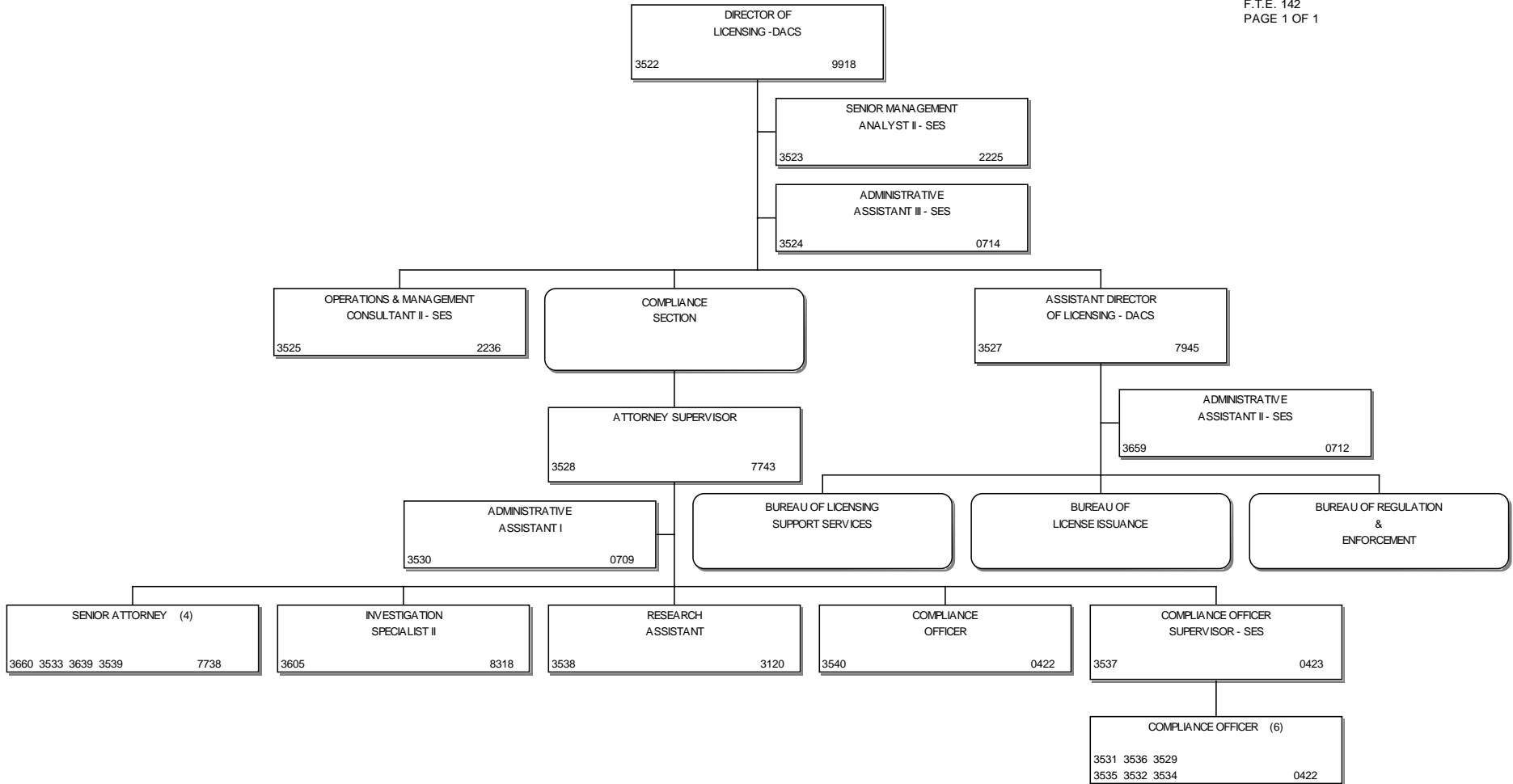


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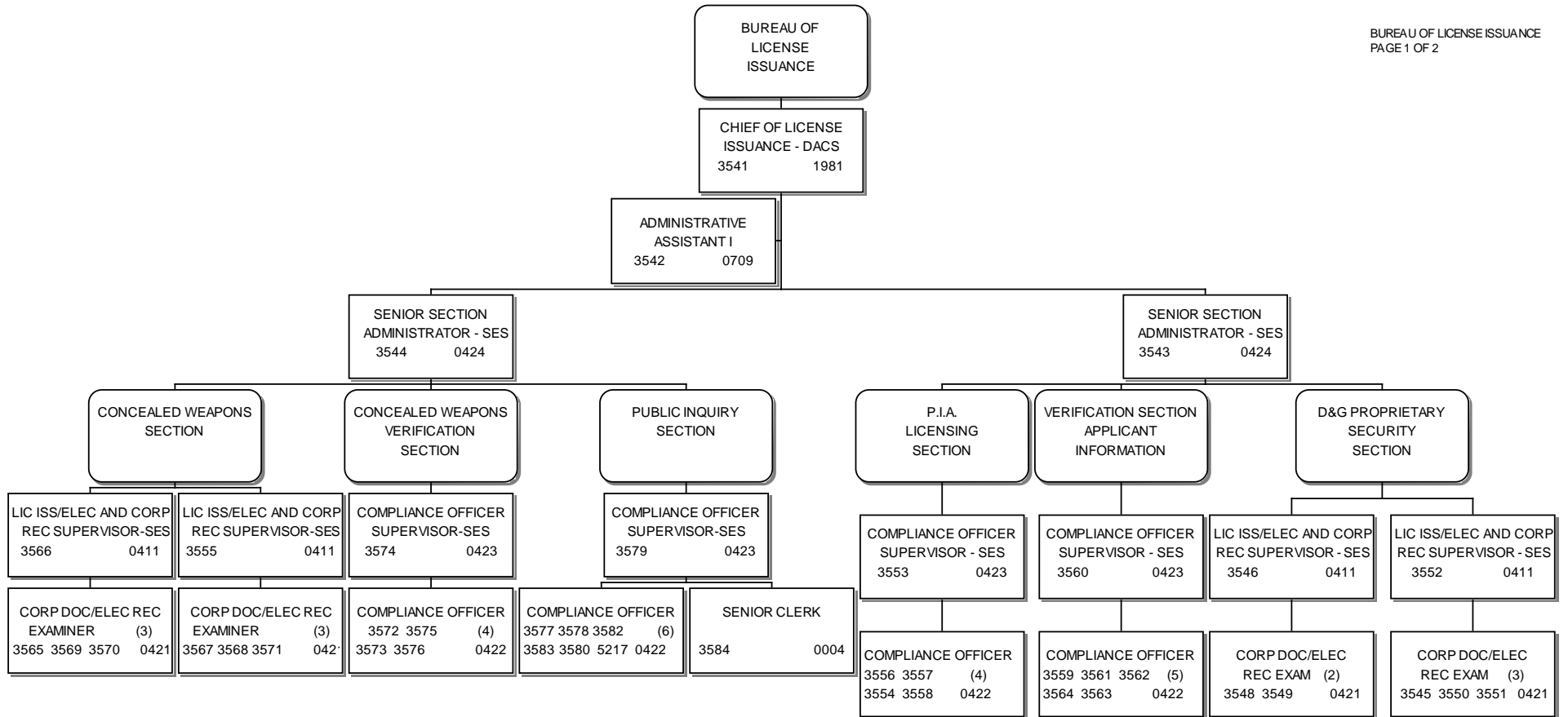
# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF LICENSING

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ELAINE COOPER, CHIEF  
PERSONNEL MANAGEMENT  
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# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF LICENSING

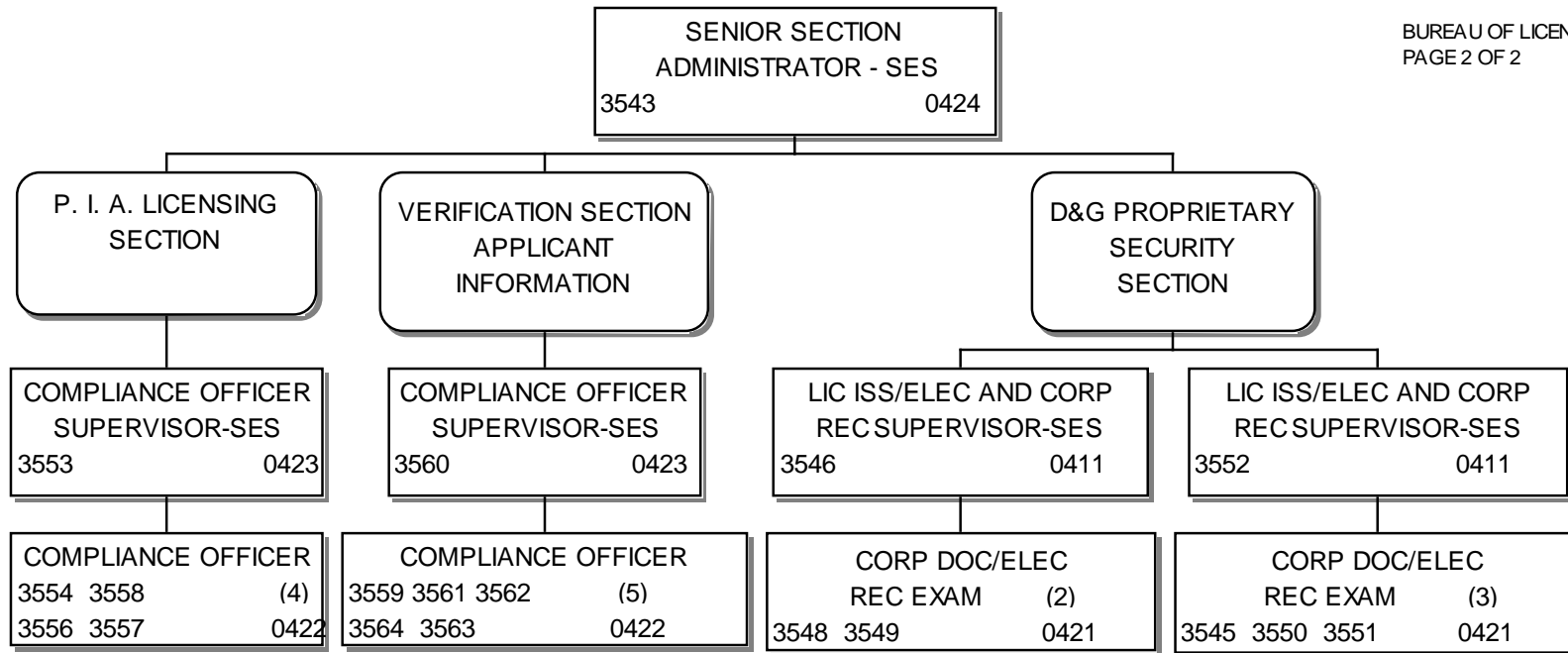


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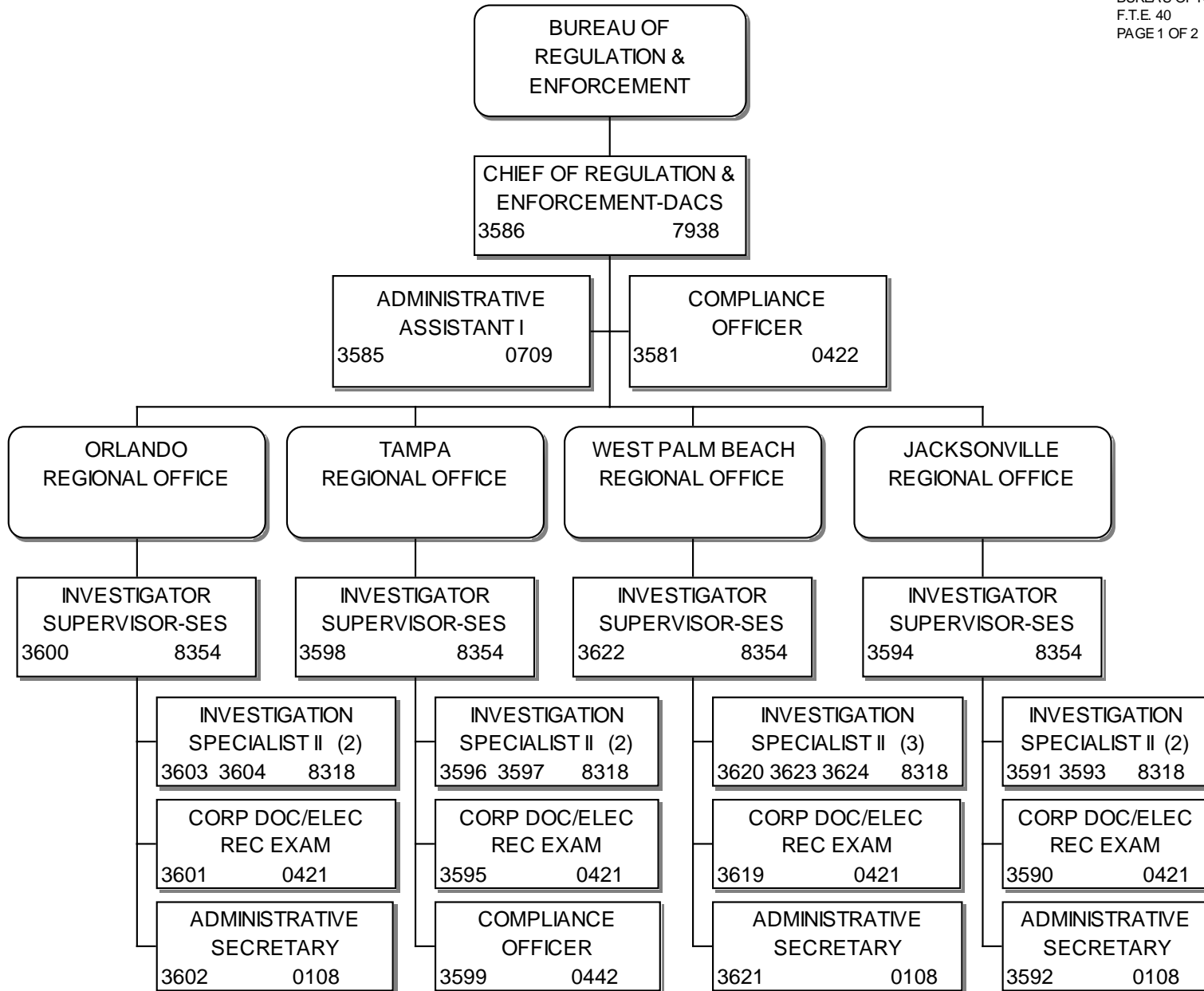
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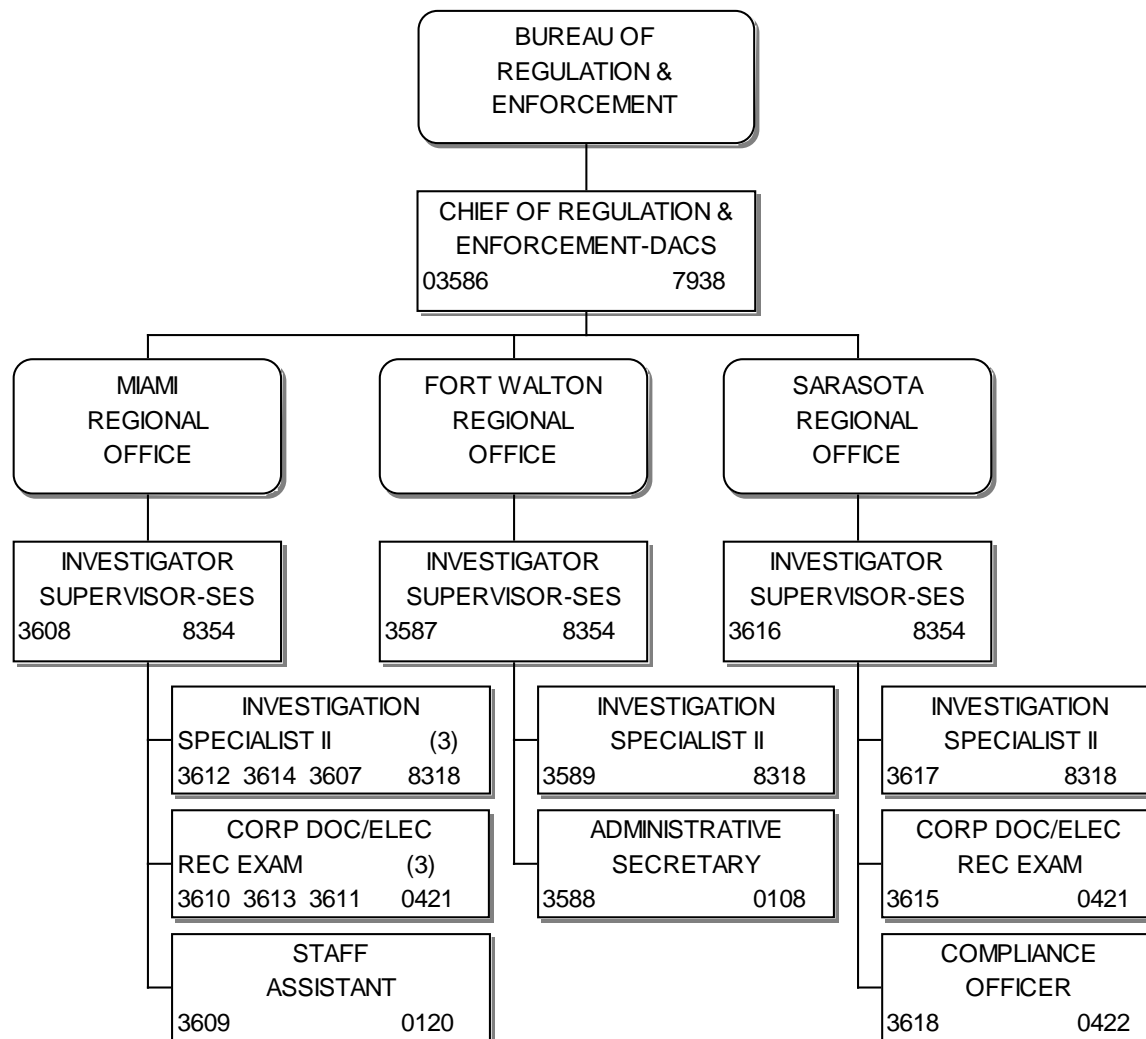
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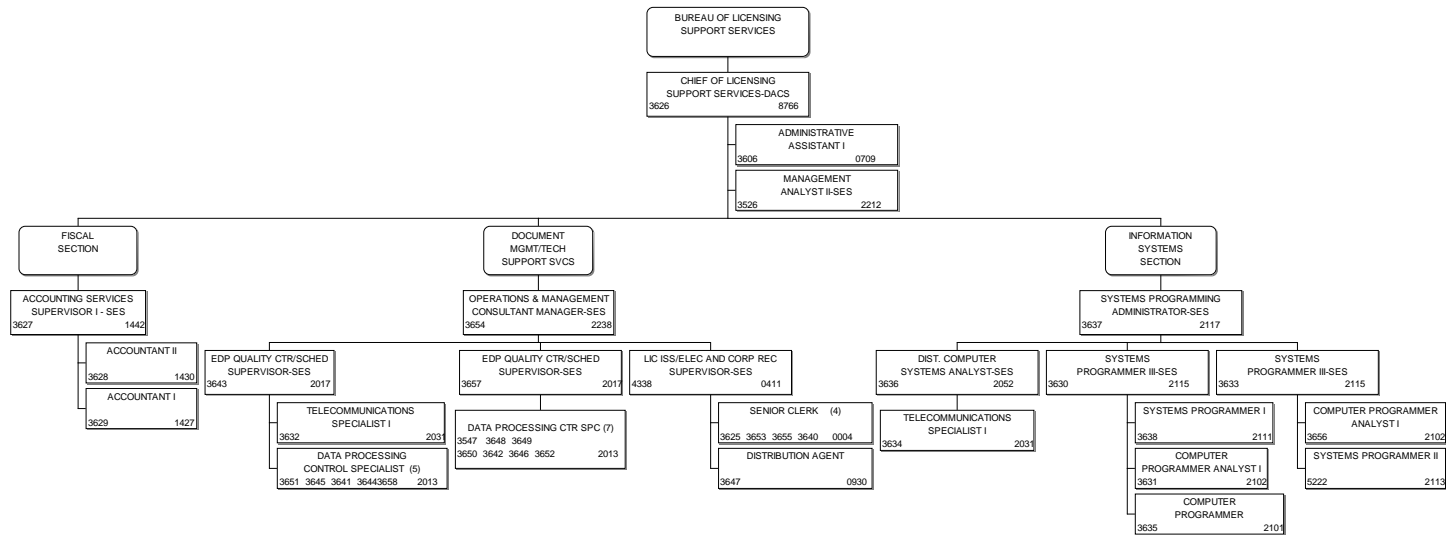
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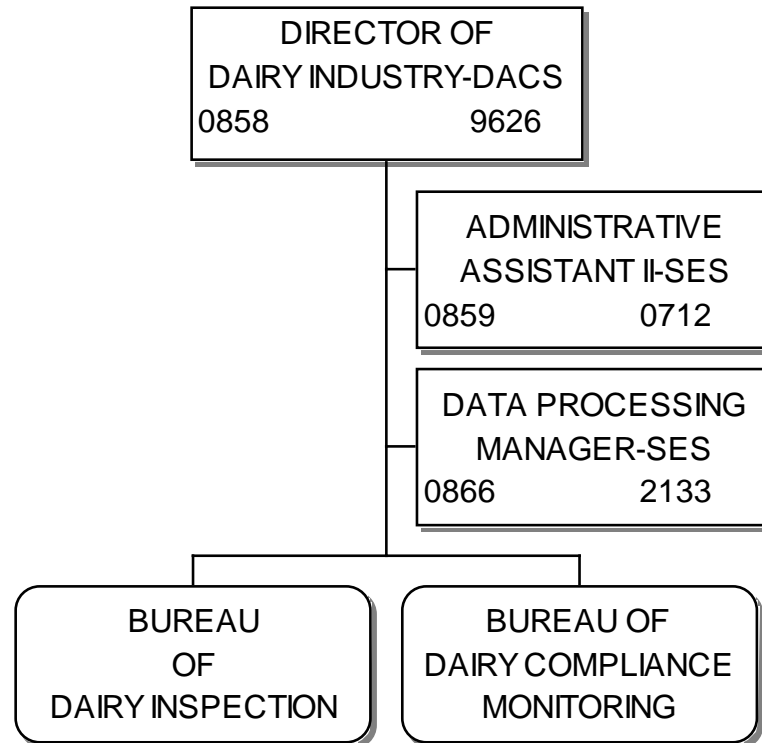


# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF LICENSING



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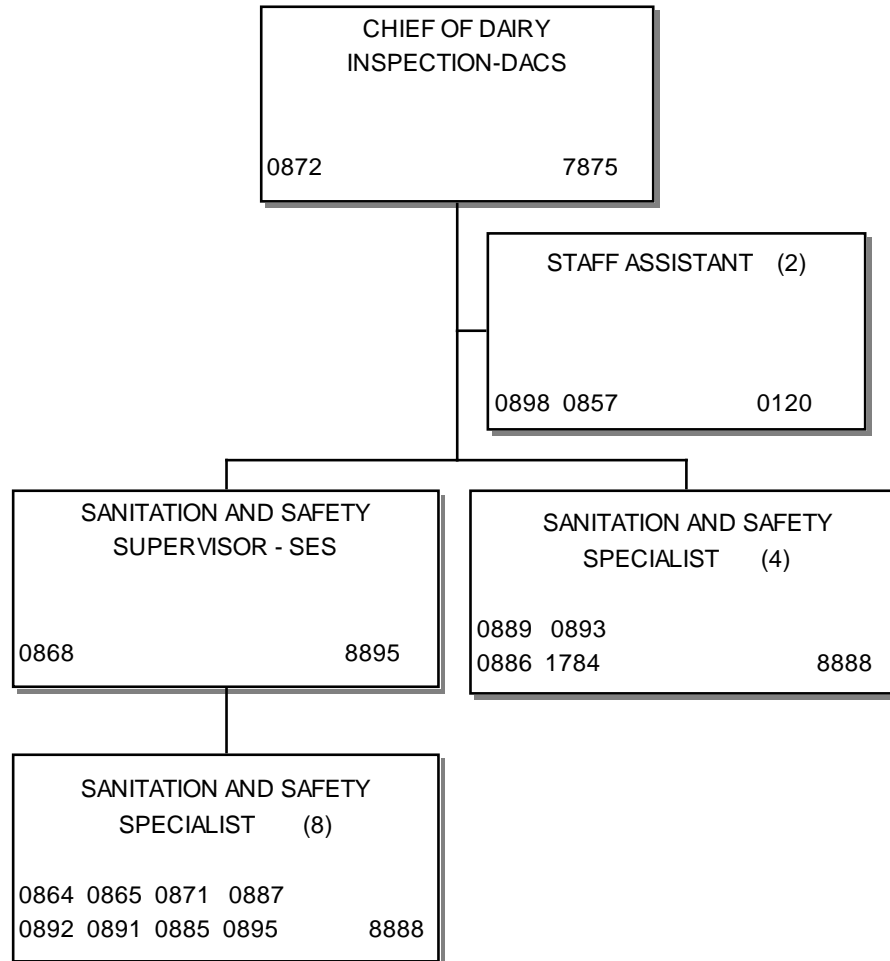
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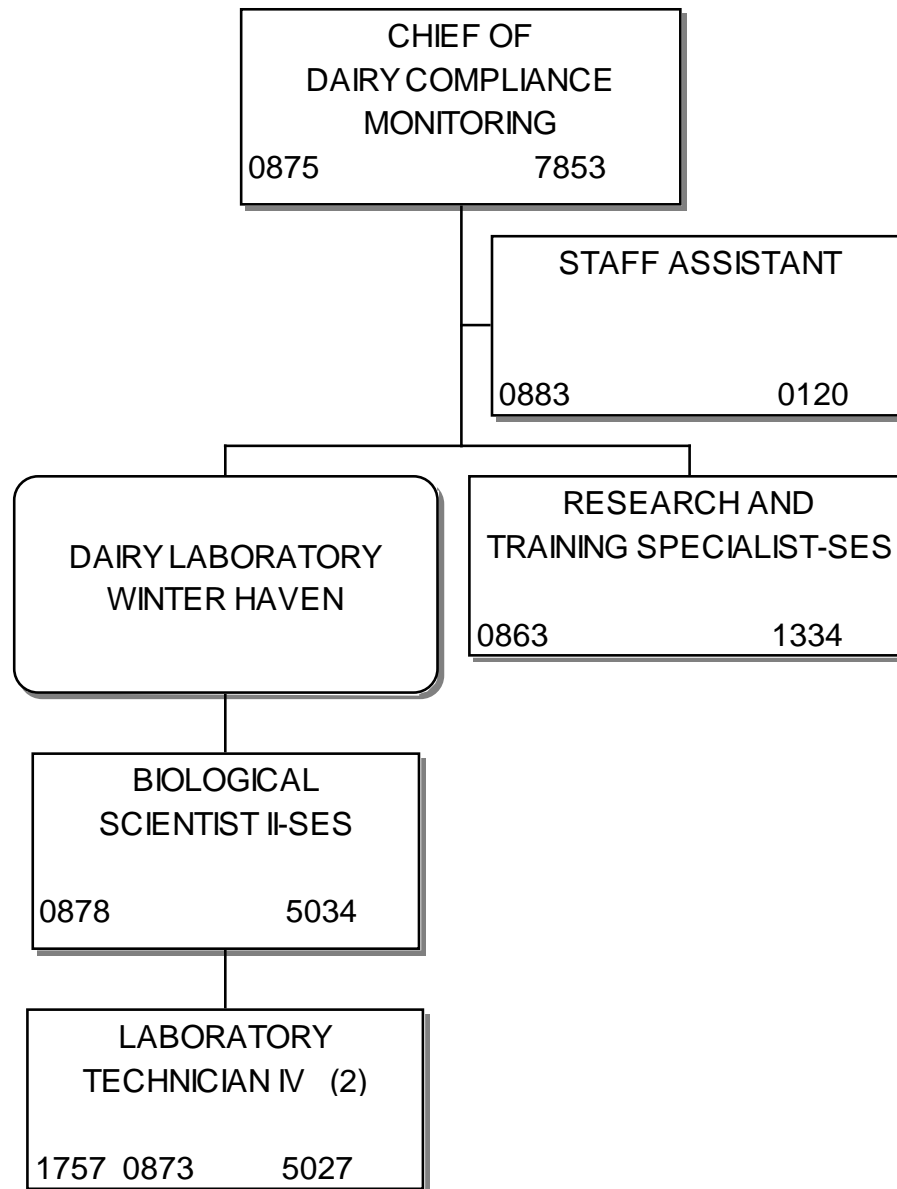
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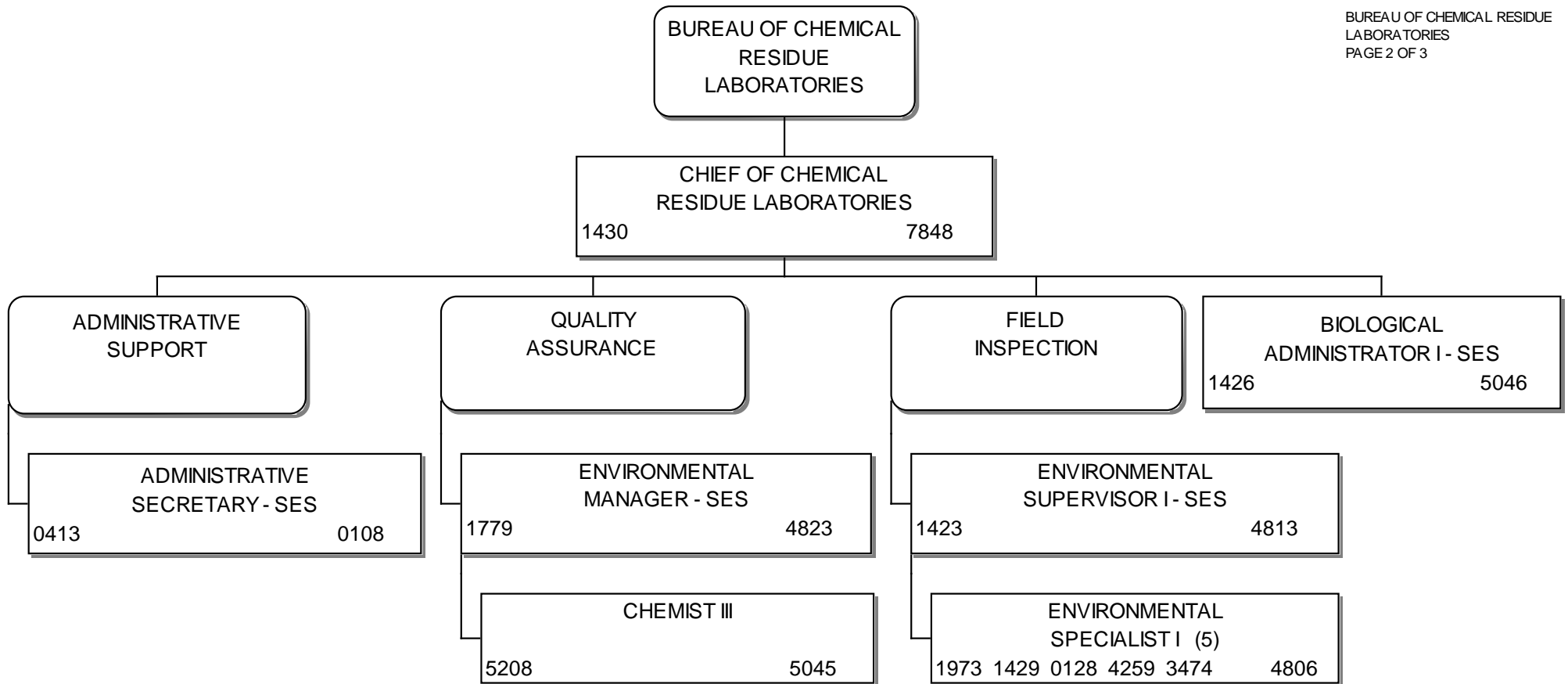
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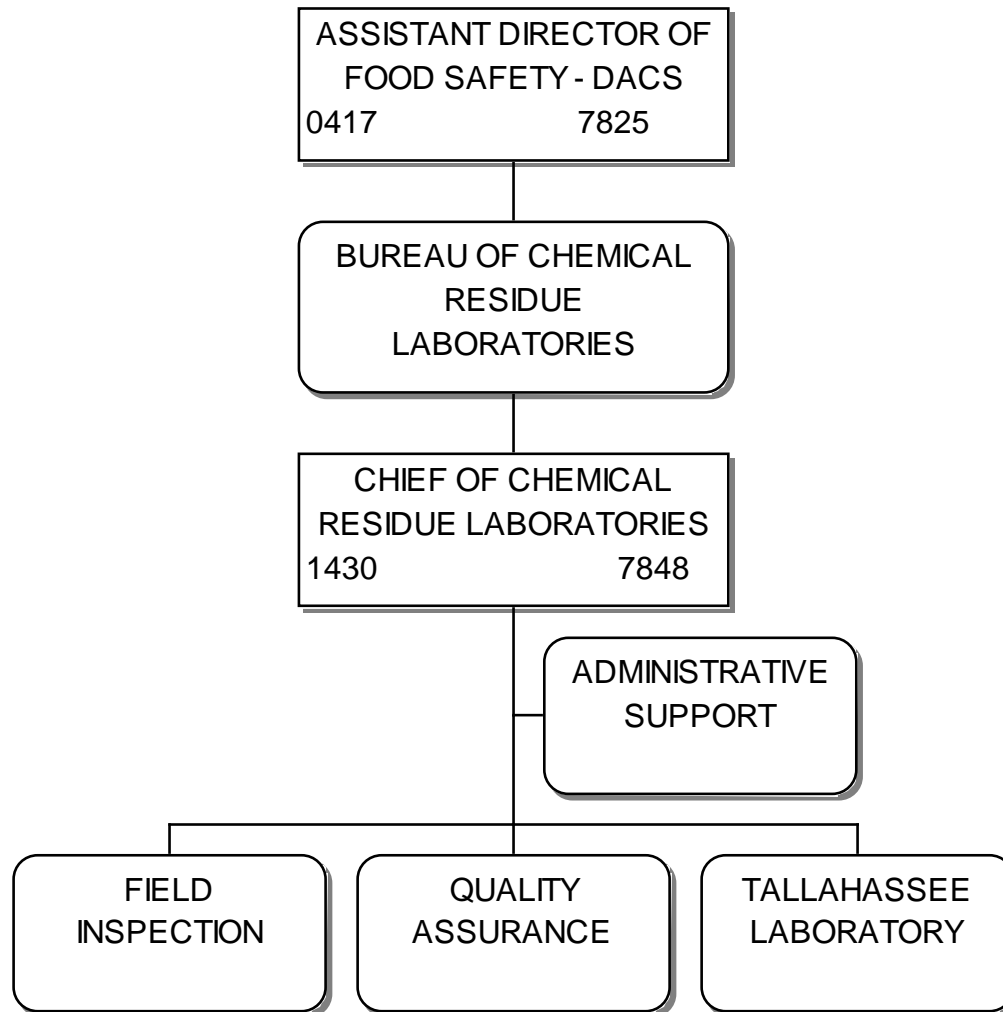
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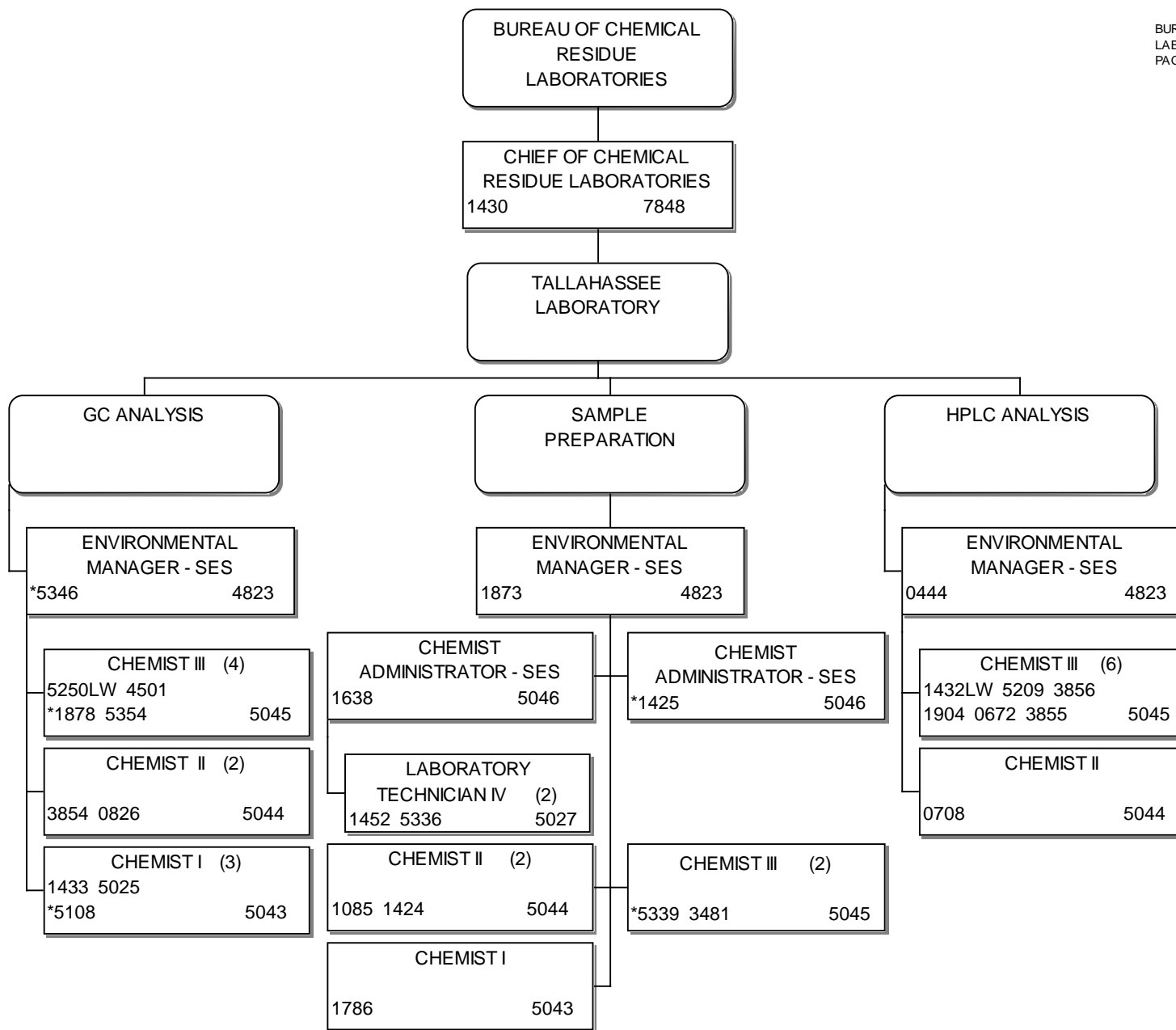


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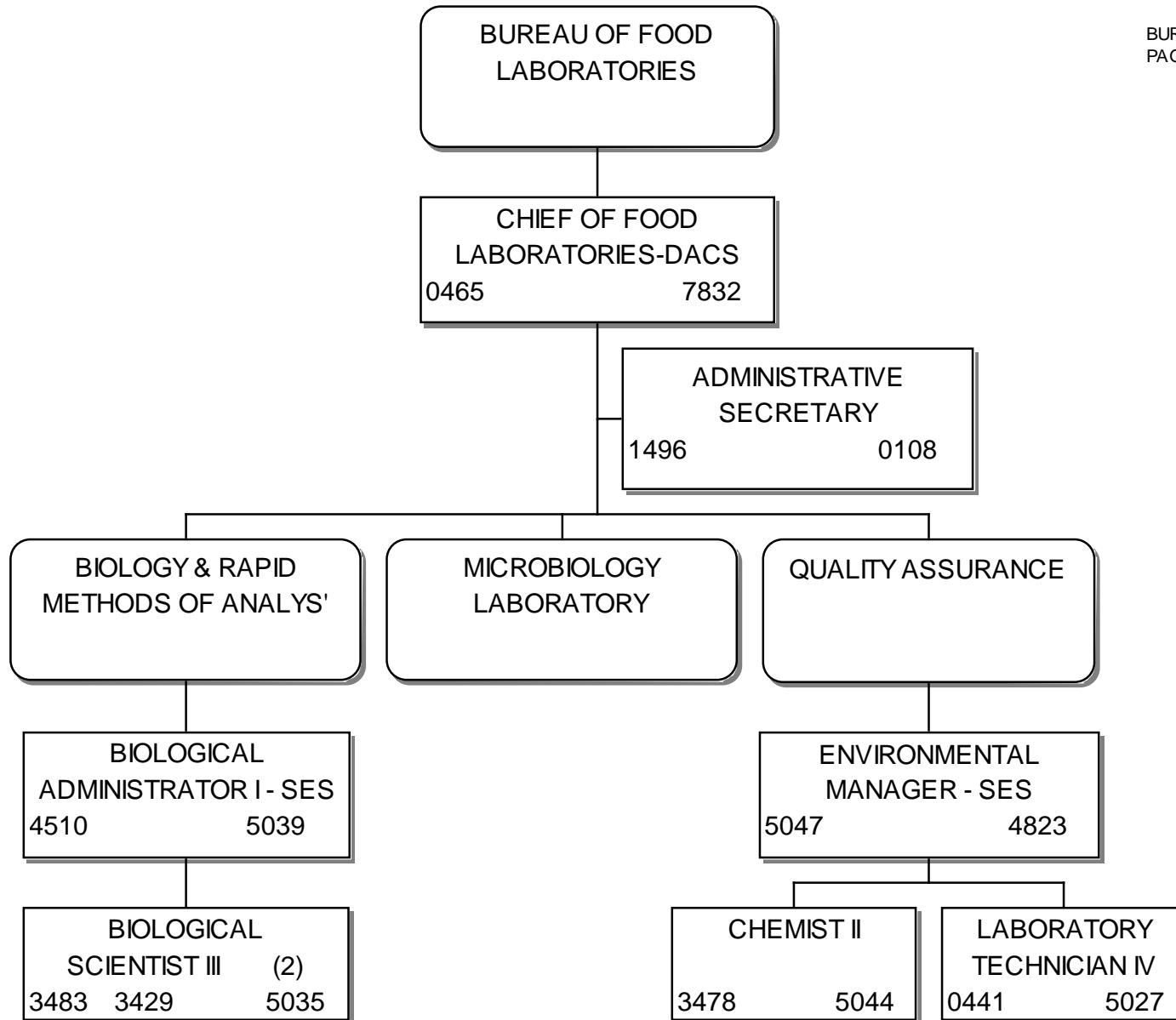
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\*USDA FUNDED POSITION  
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**DEPARTMENT OF AGRICULTURE  
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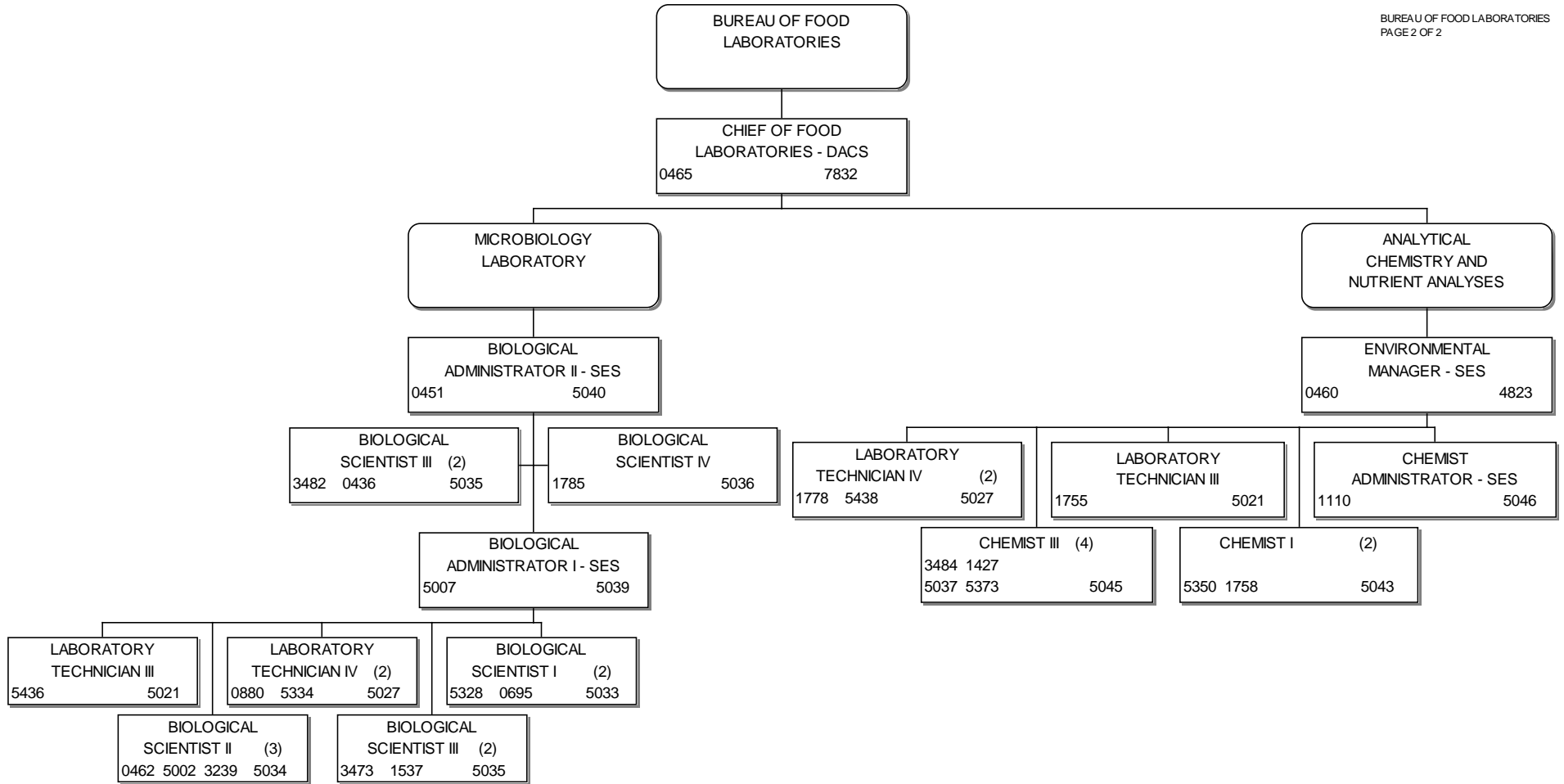
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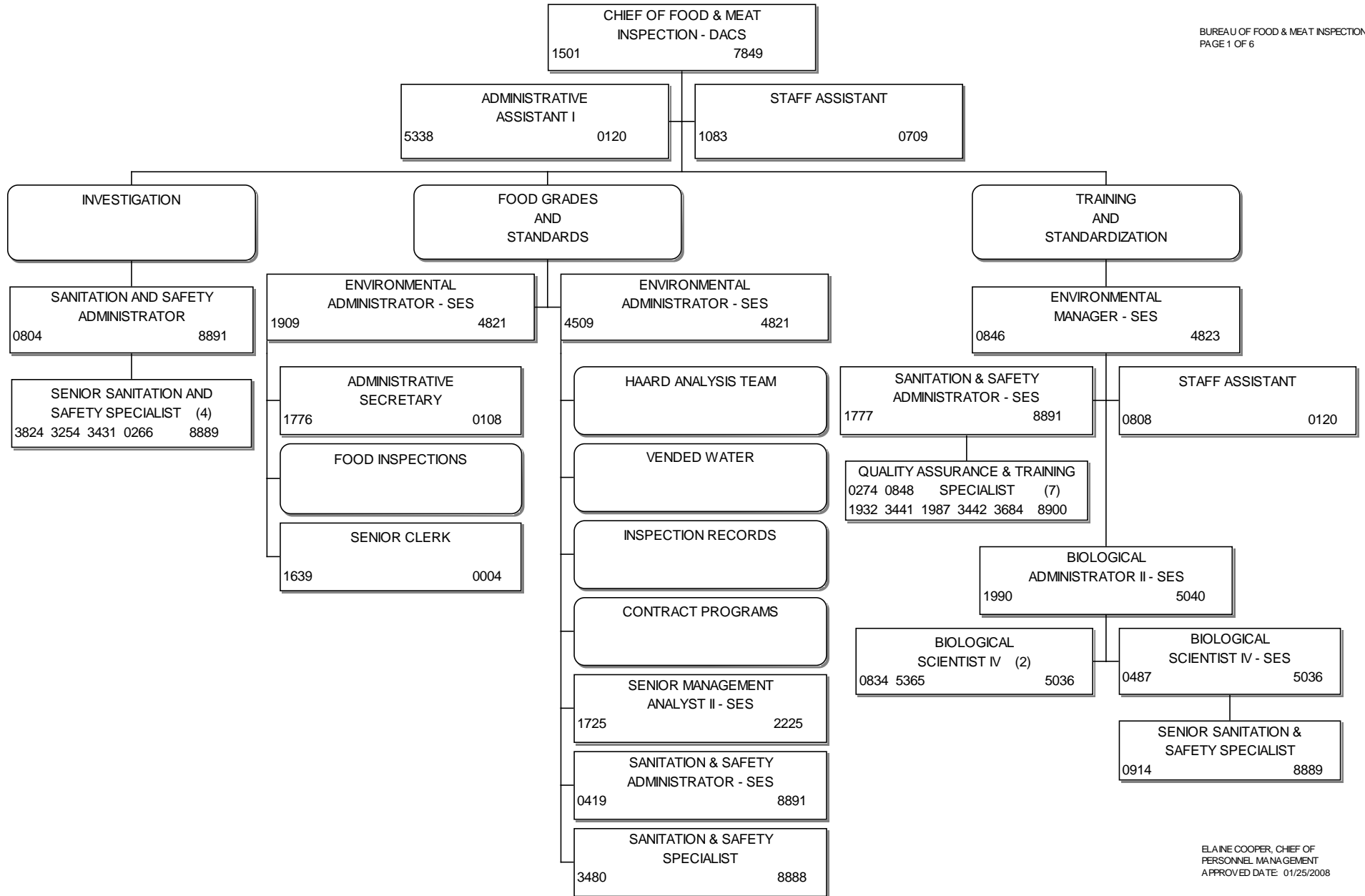
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# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF FOOD SAFETY

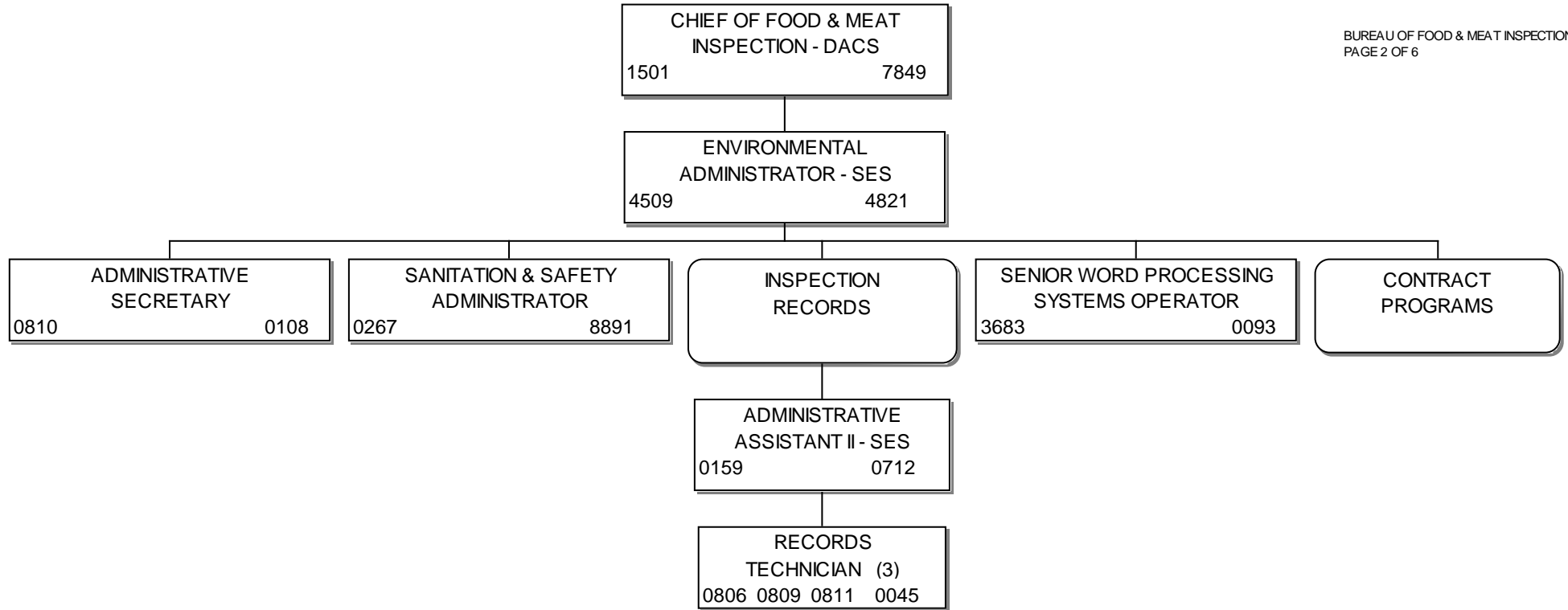


# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF FOOD SAFETY



**DEPARTMENT OF AGRICULTURE  
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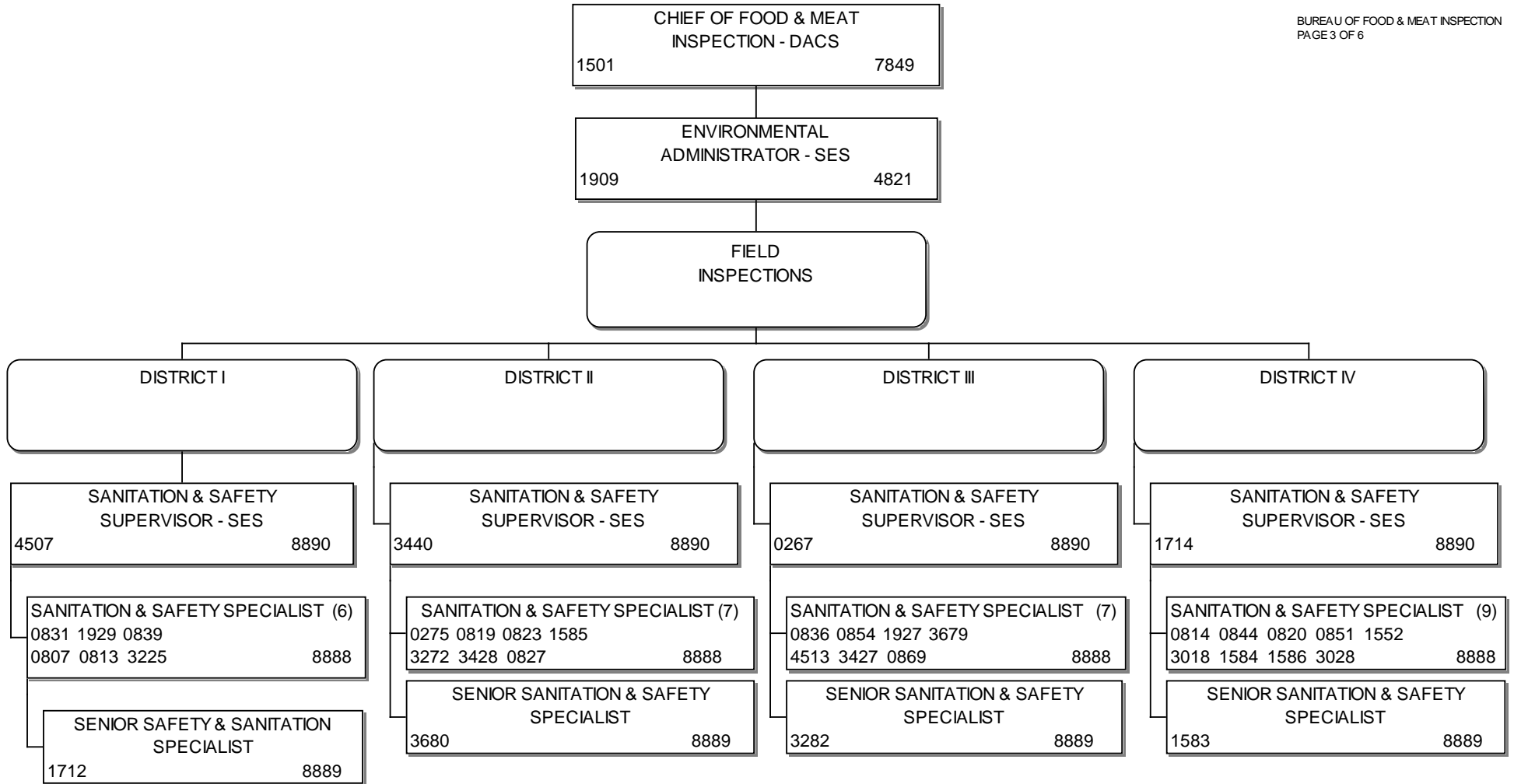
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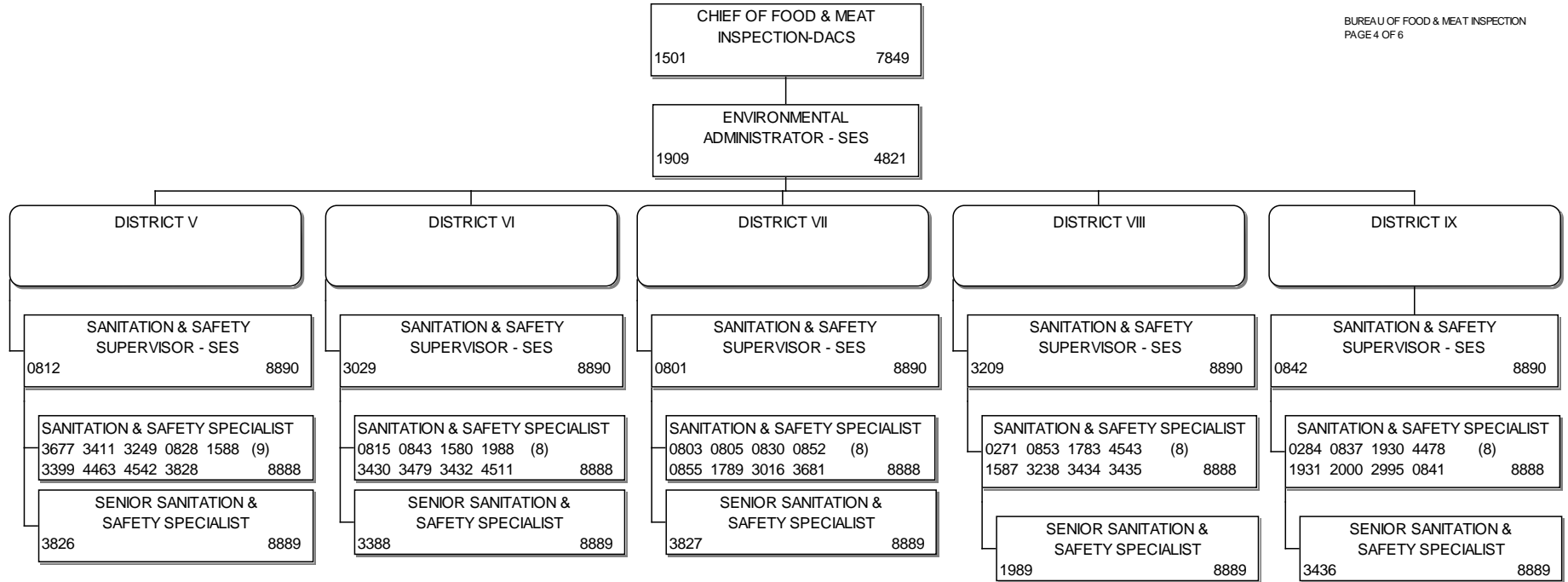
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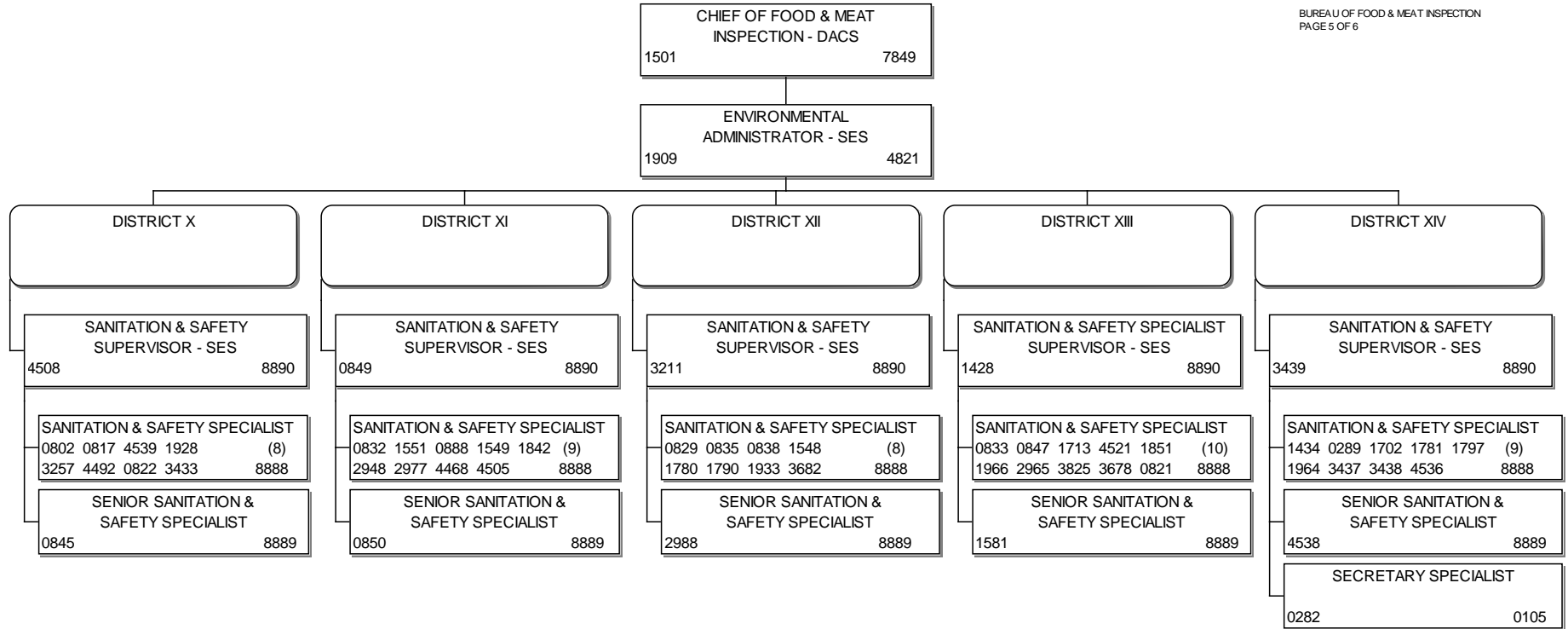
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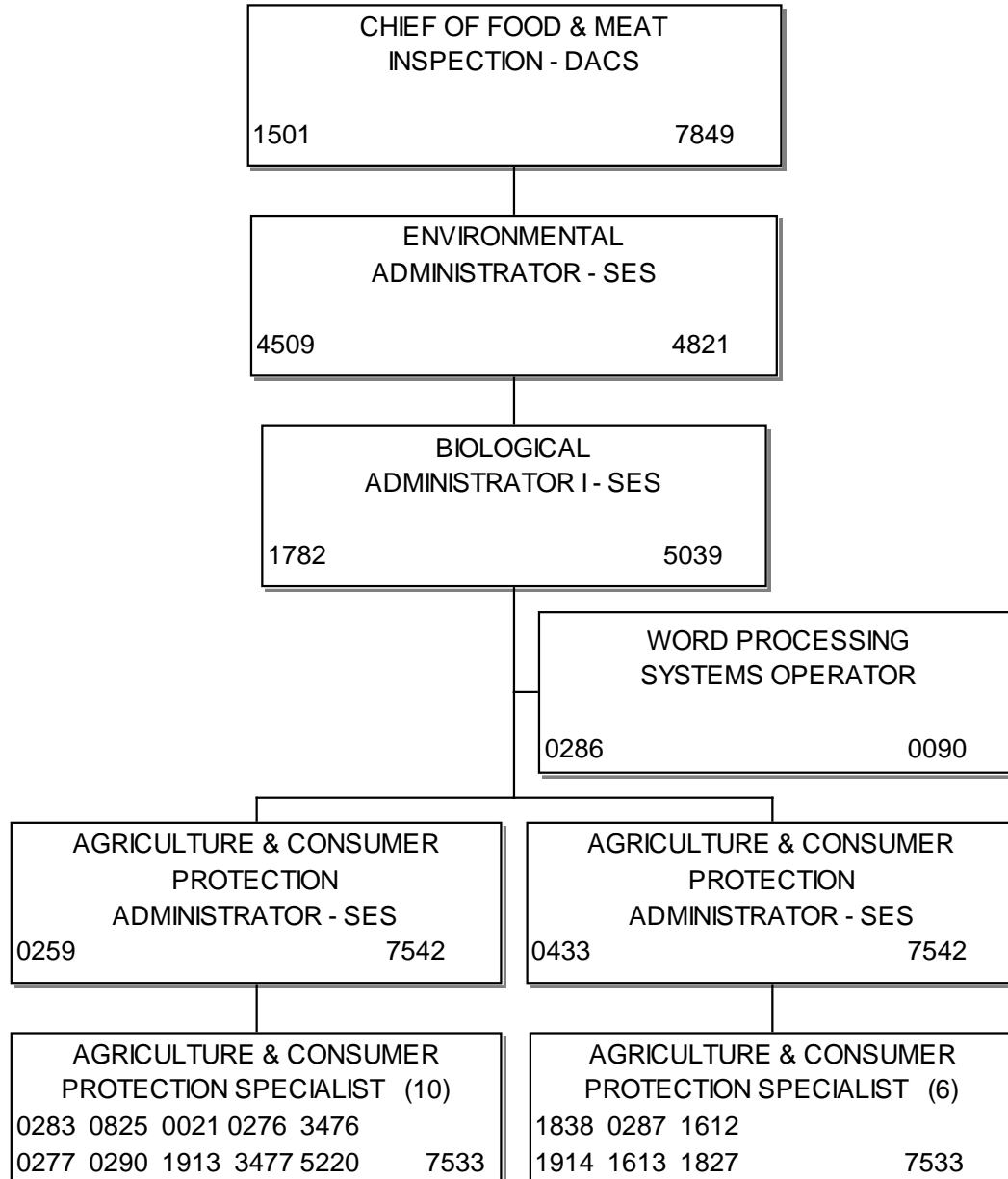
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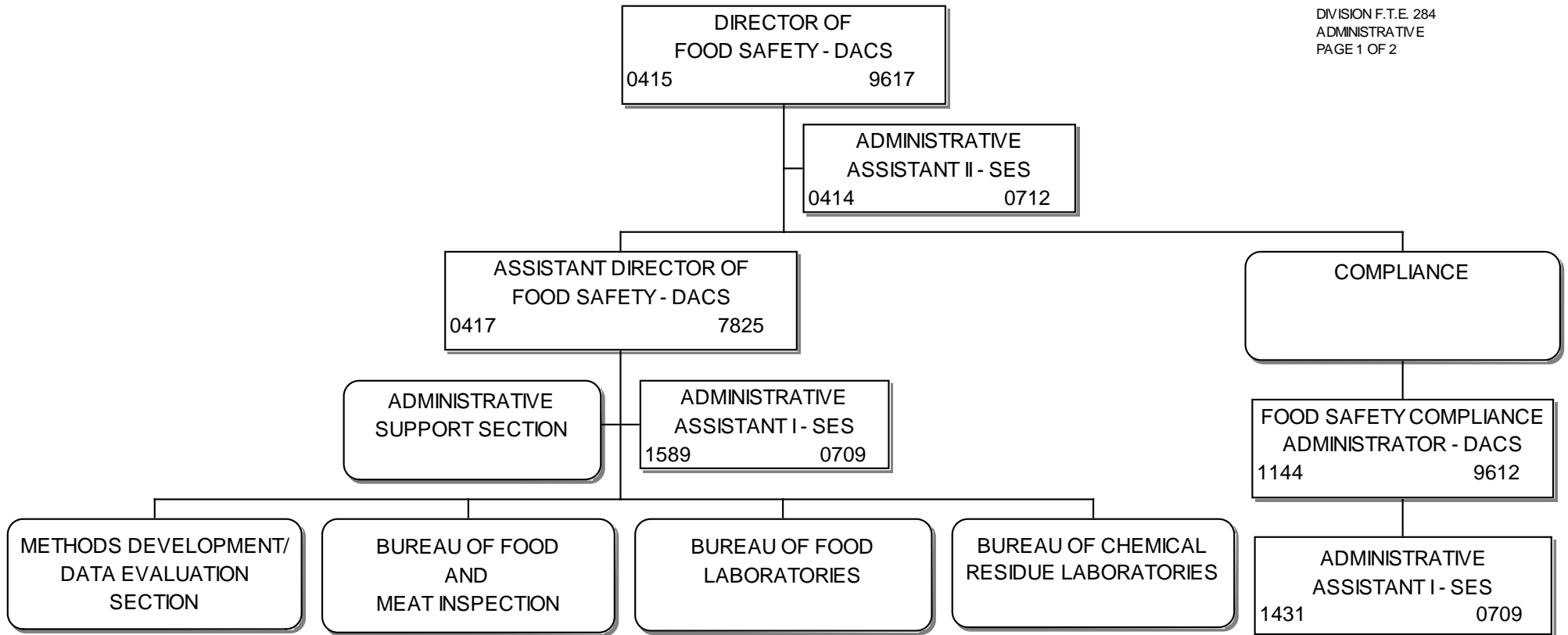
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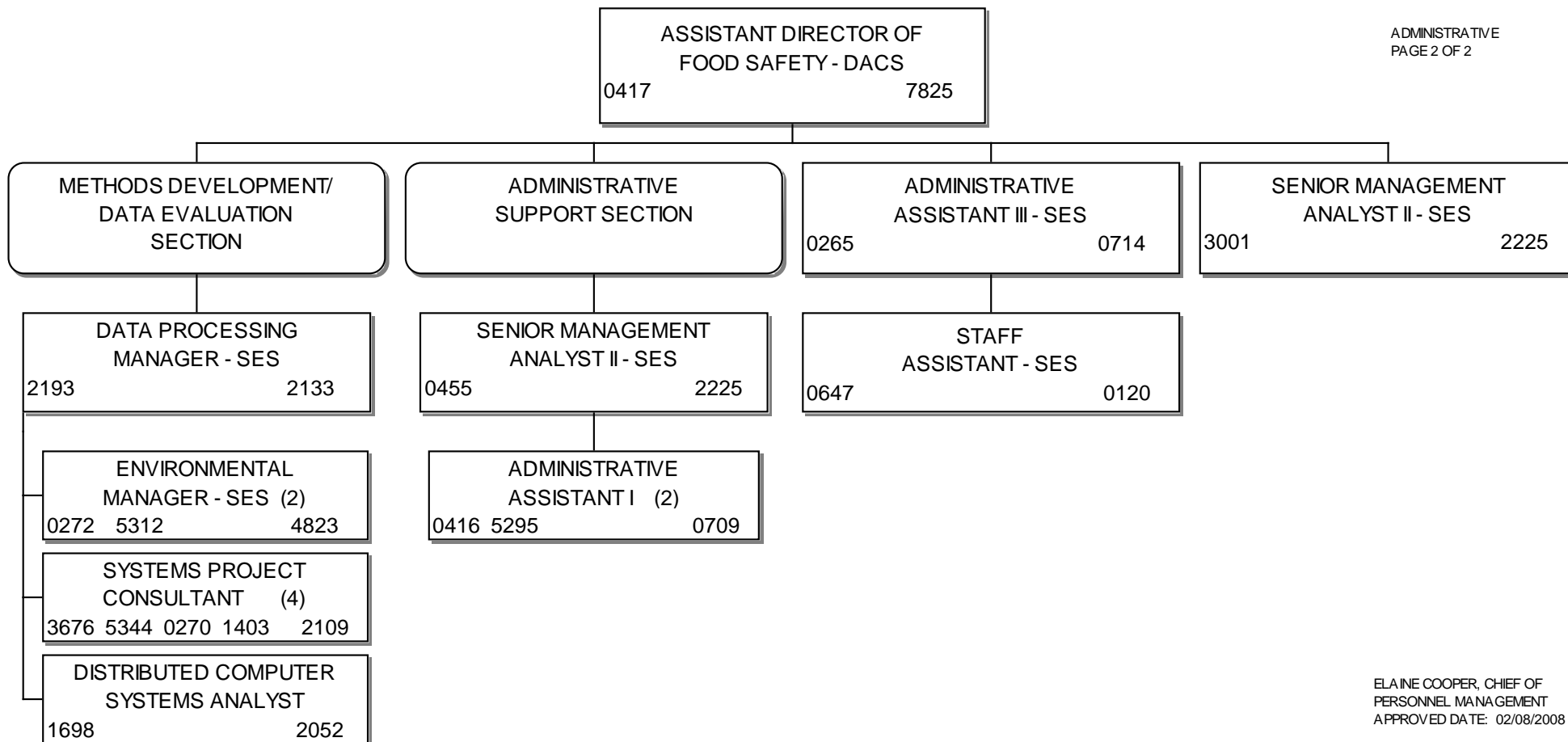


ELAINE COOPER, CHIEF OF  
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# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF FOOD SAFETY

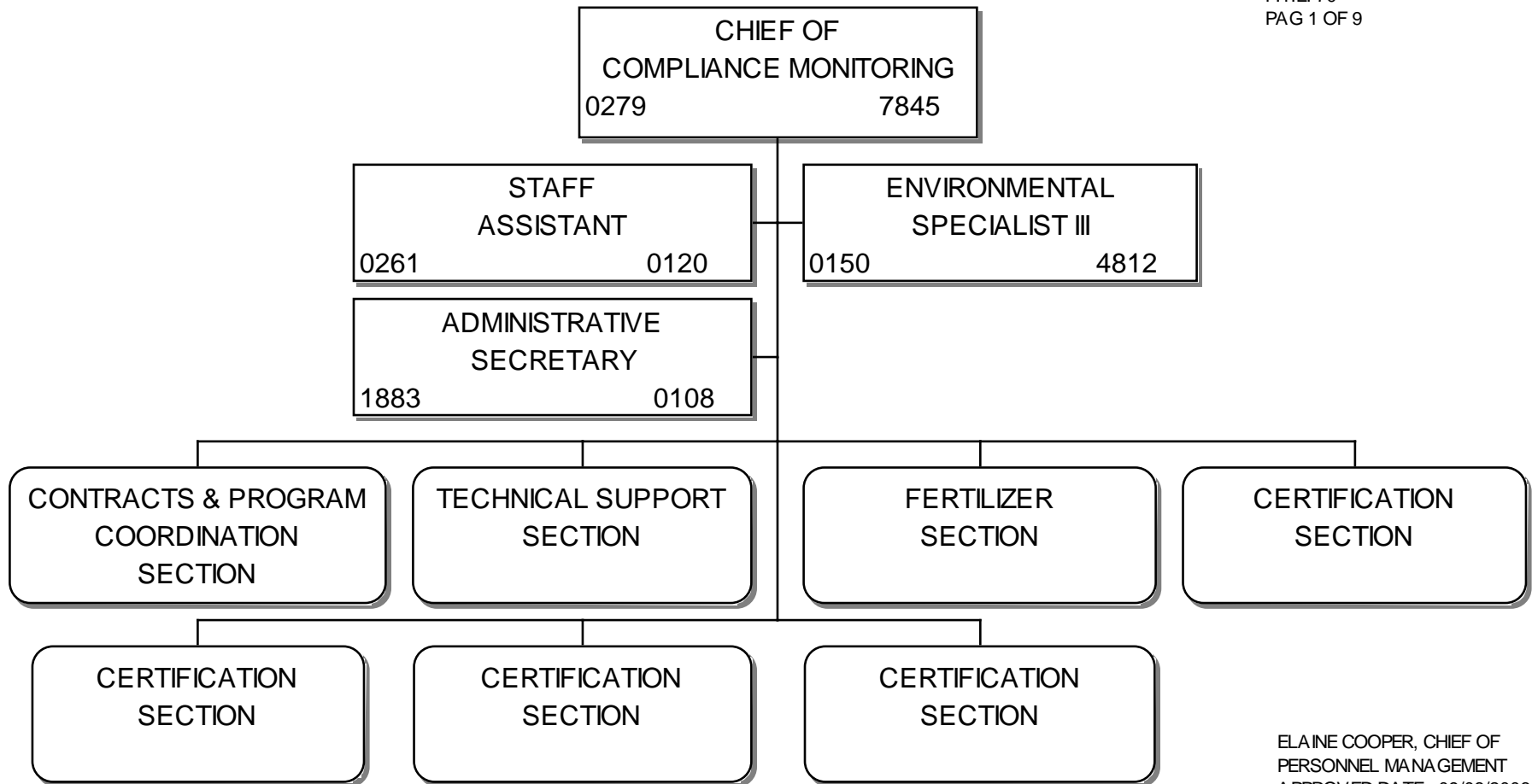
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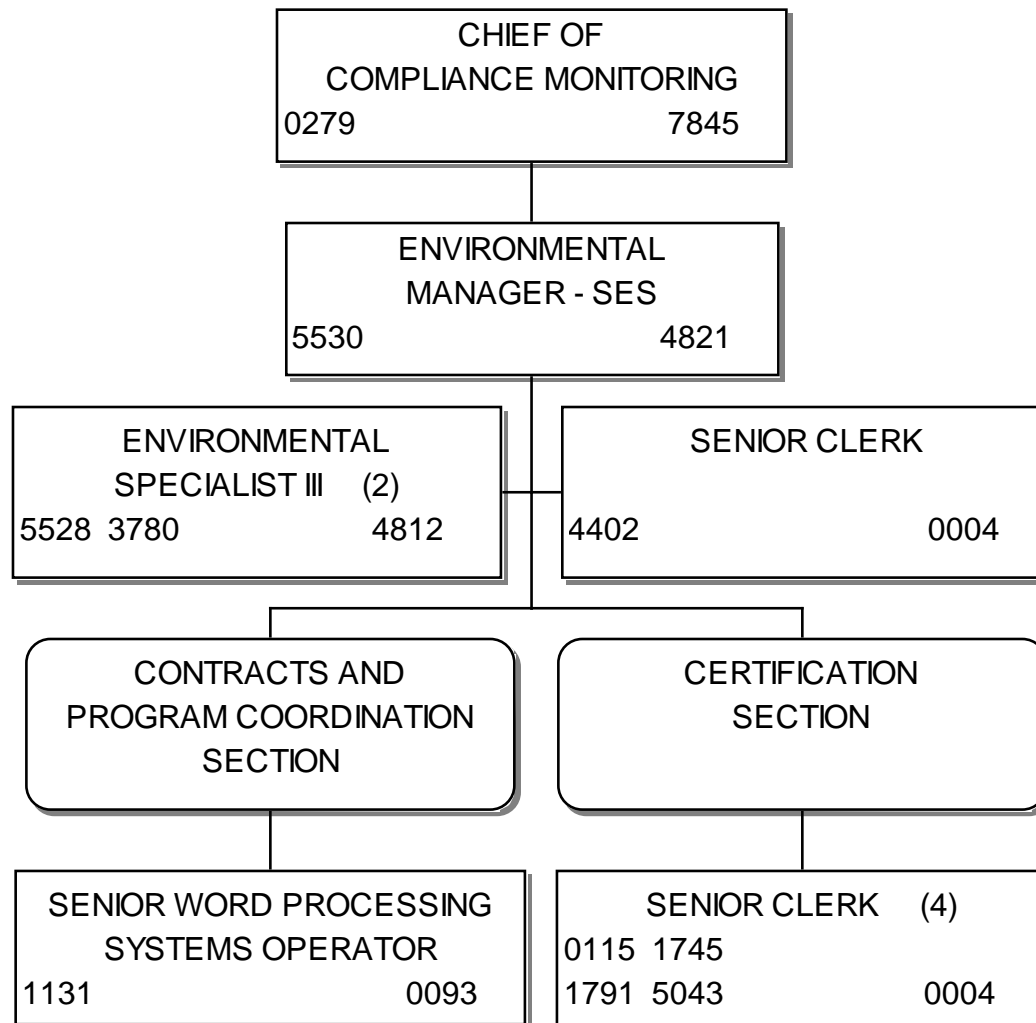
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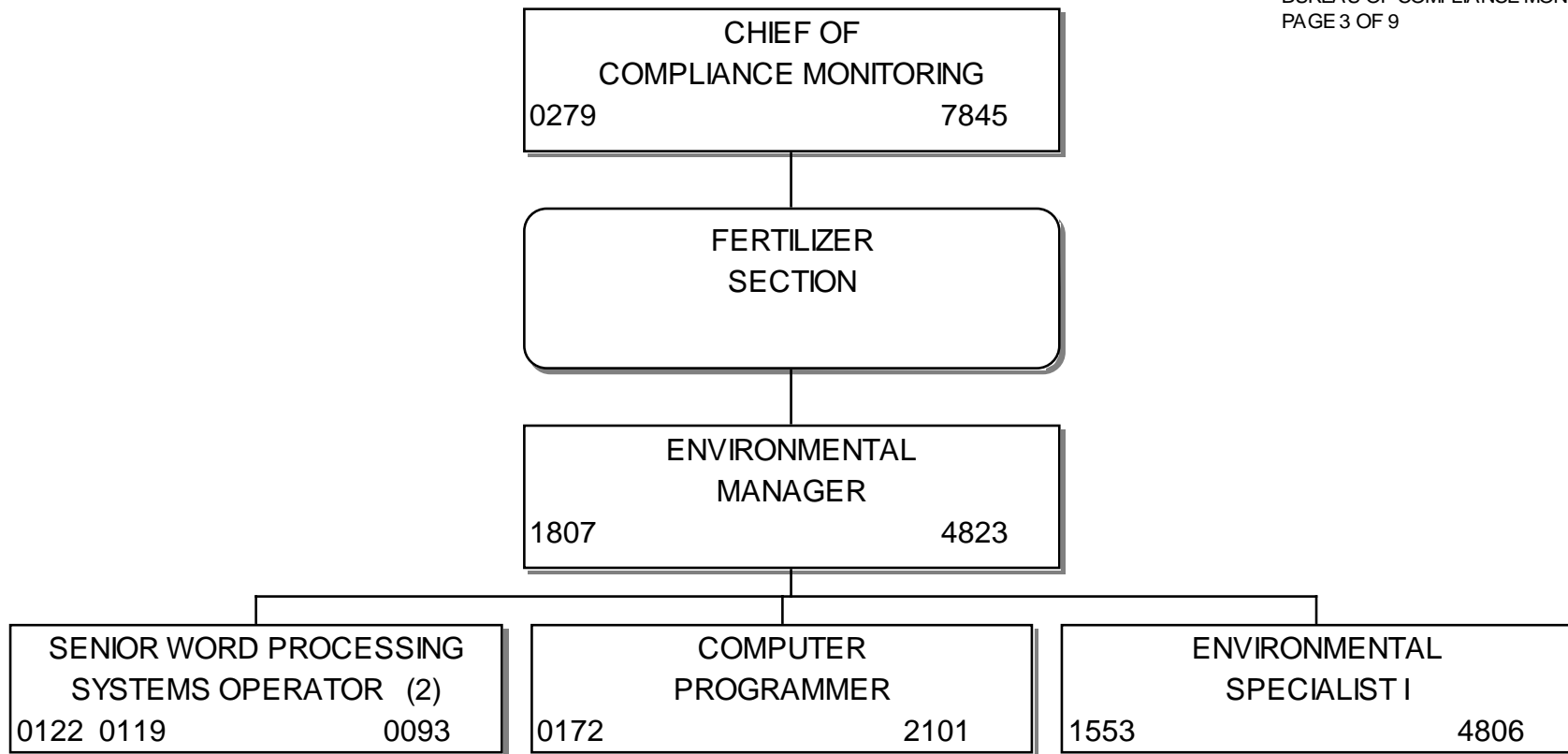
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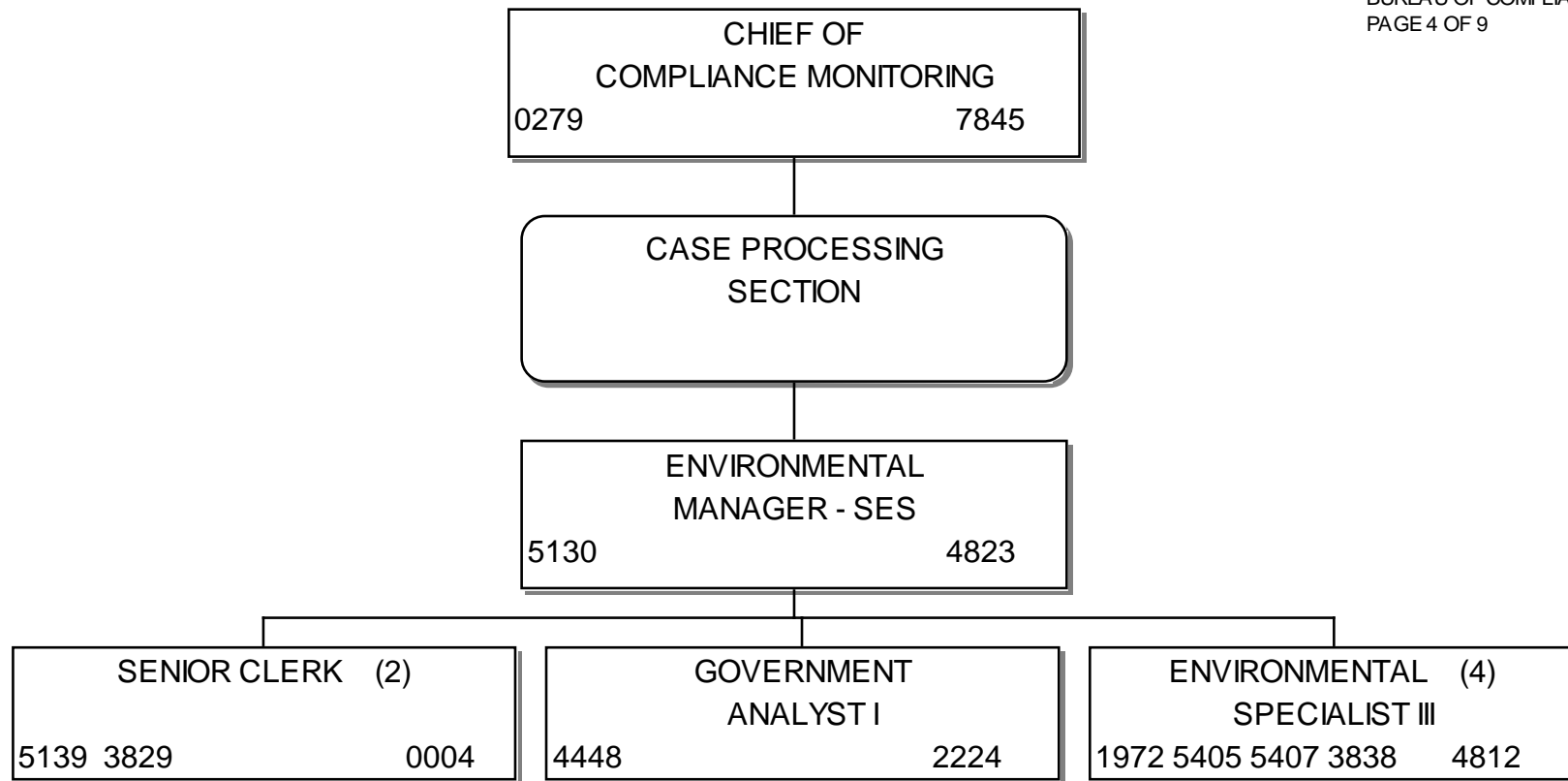
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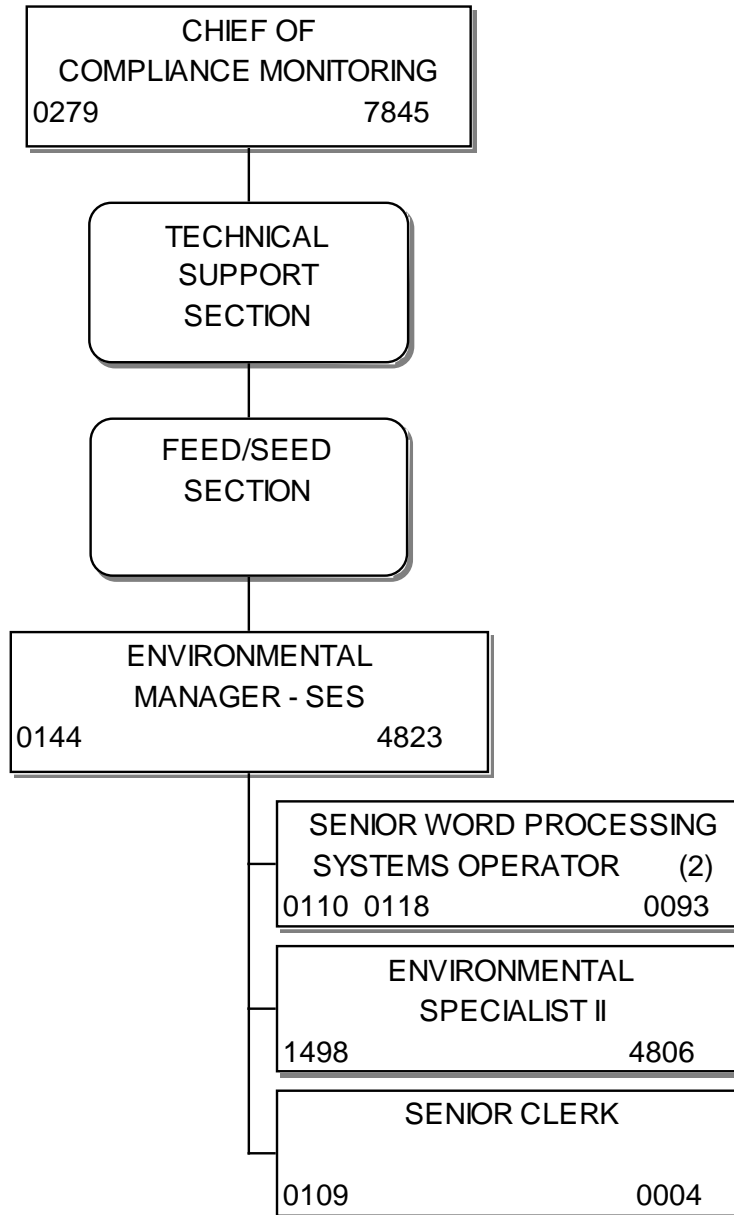
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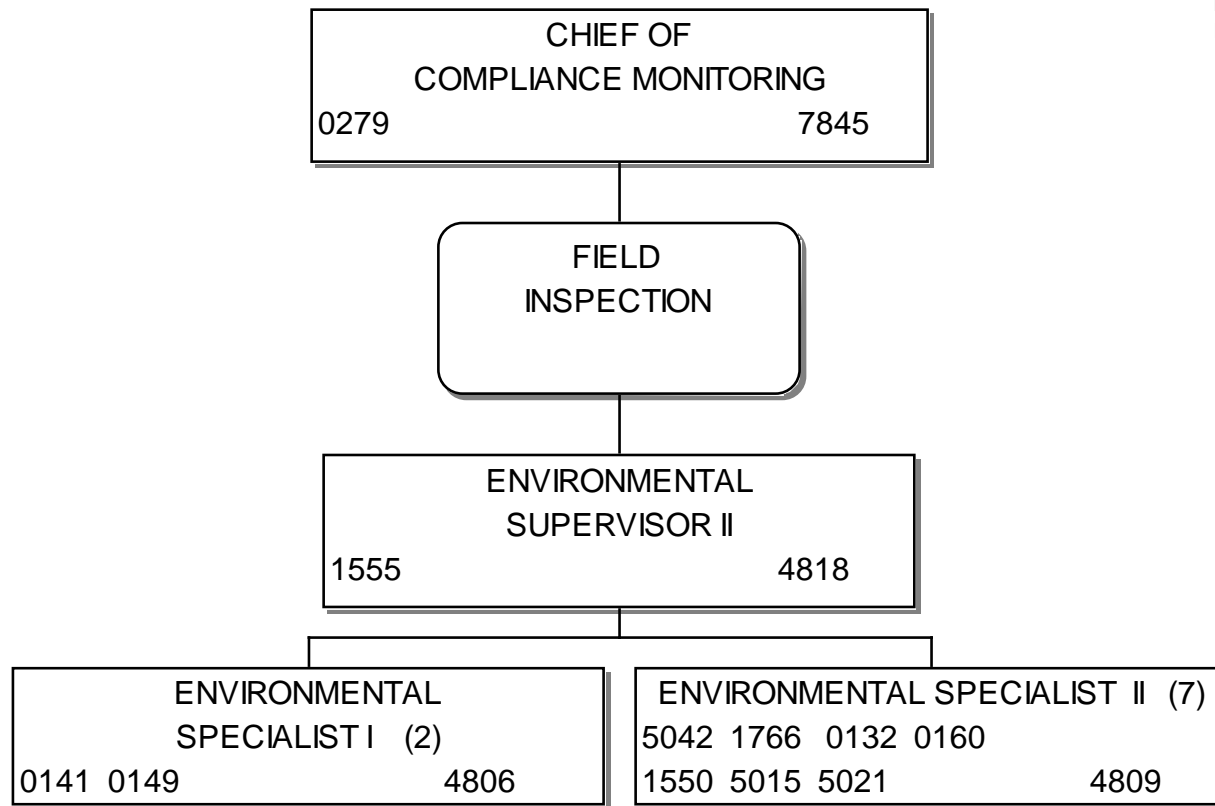
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**DEPARTMENT OF AGRICULTURE  
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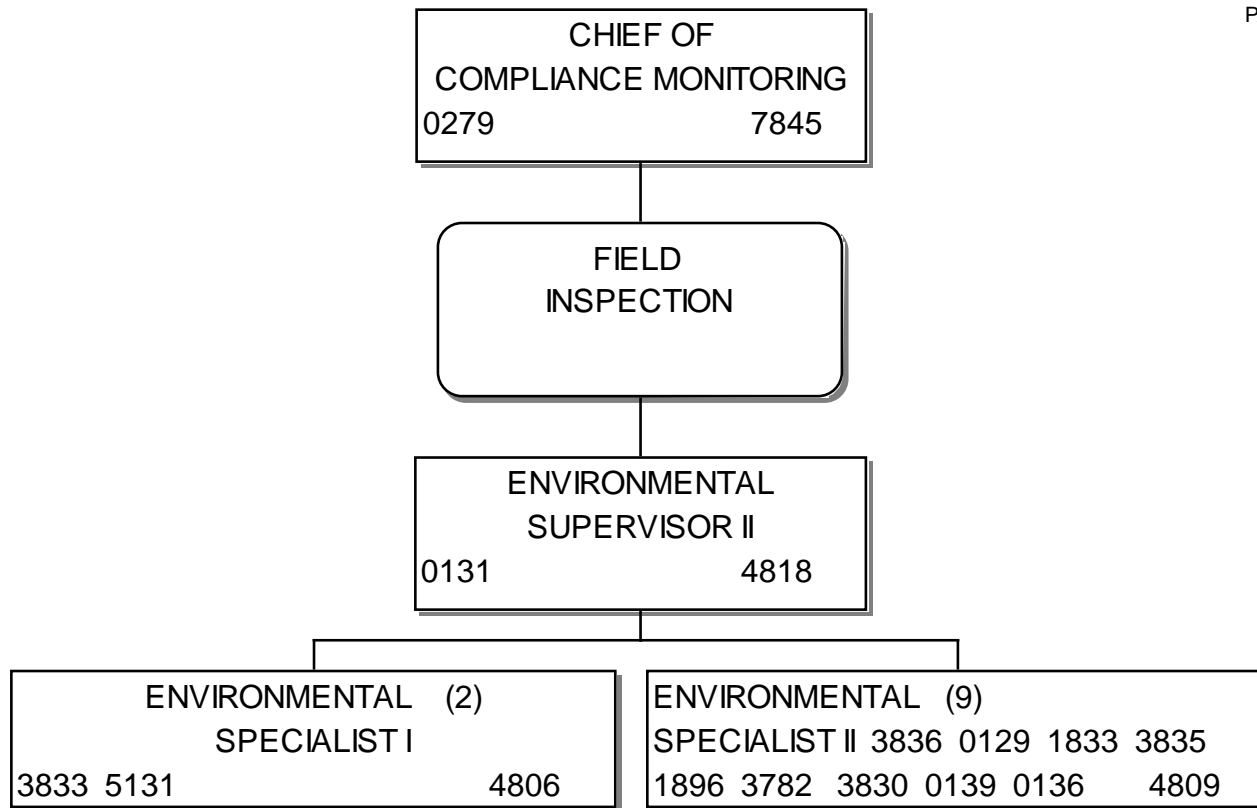
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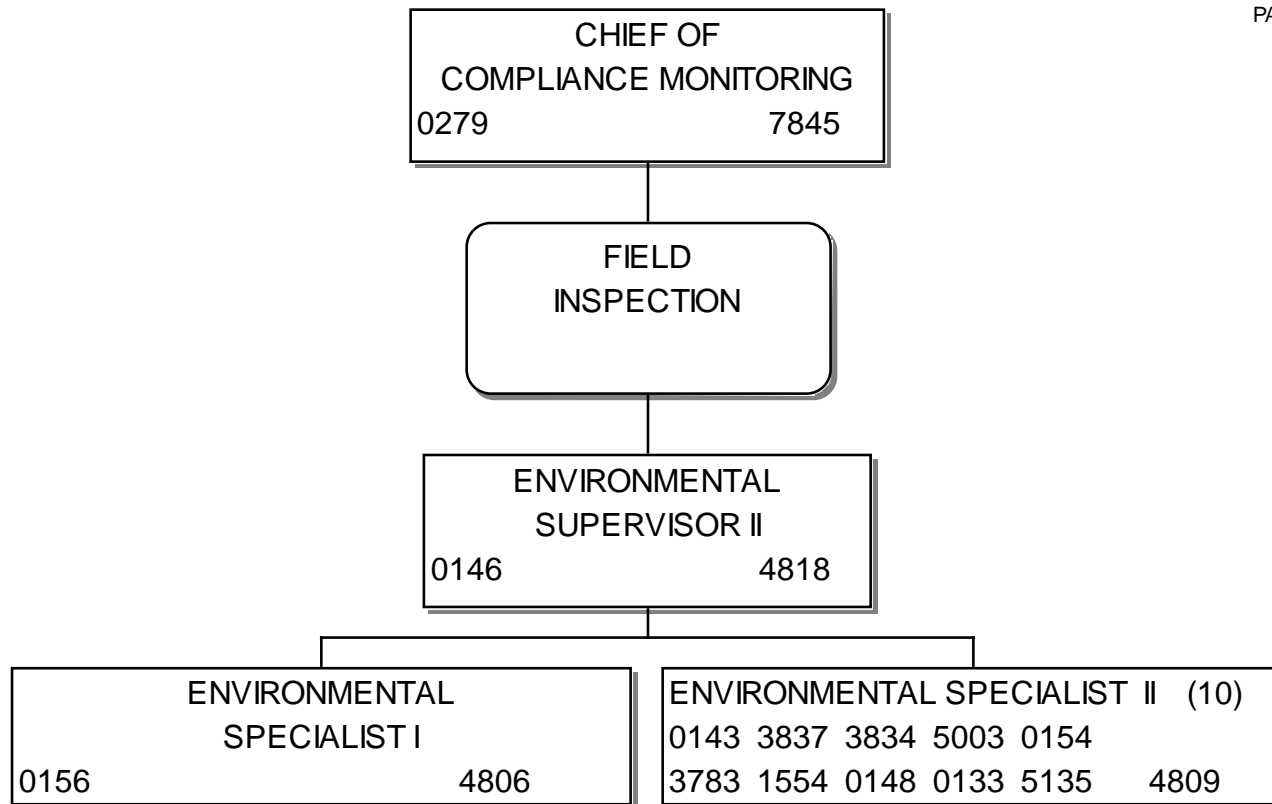


ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 08/10/2007



**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION  
AGRICULTURAL ENVIRONMENTAL SERVICES**

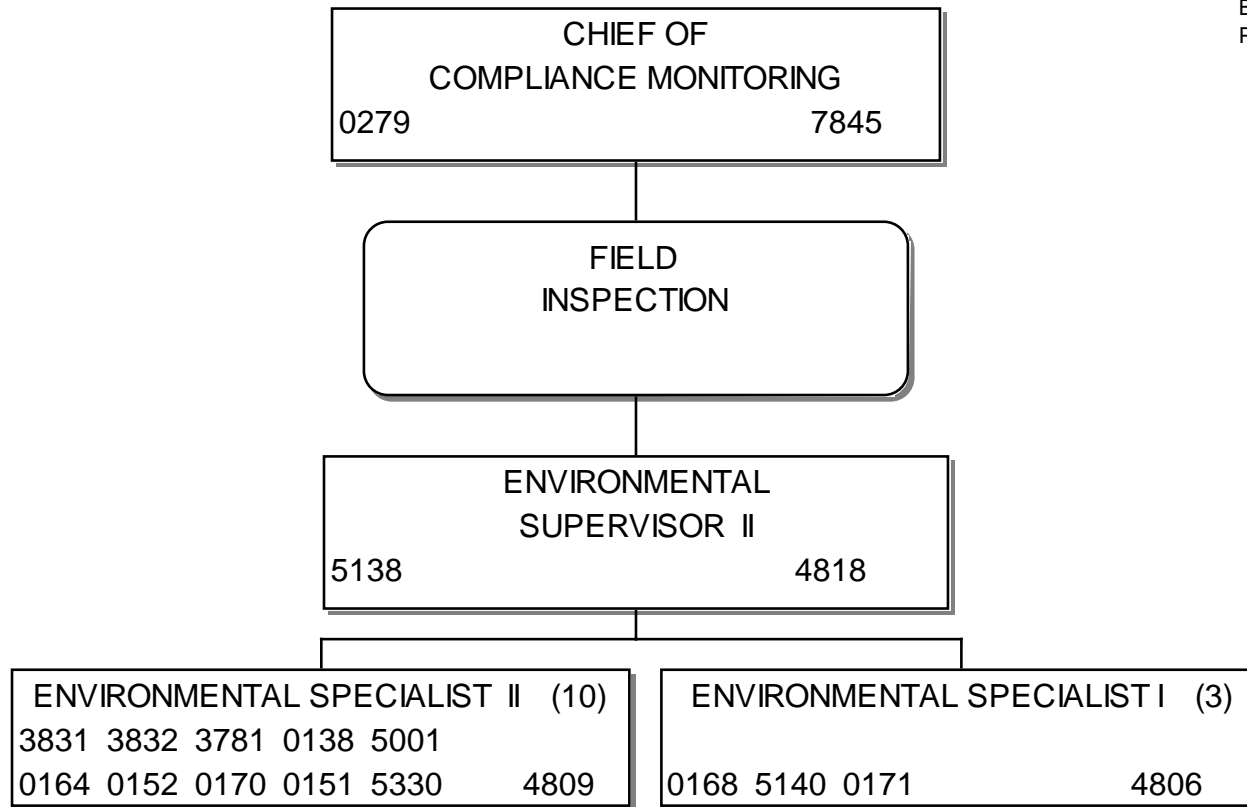
BUREAU OF COMPLIANCE MONITORING  
PAGE 8 OF 9



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 07/13/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION  
OF AGRICULTURAL ENVIRONMENTAL SERVICES**

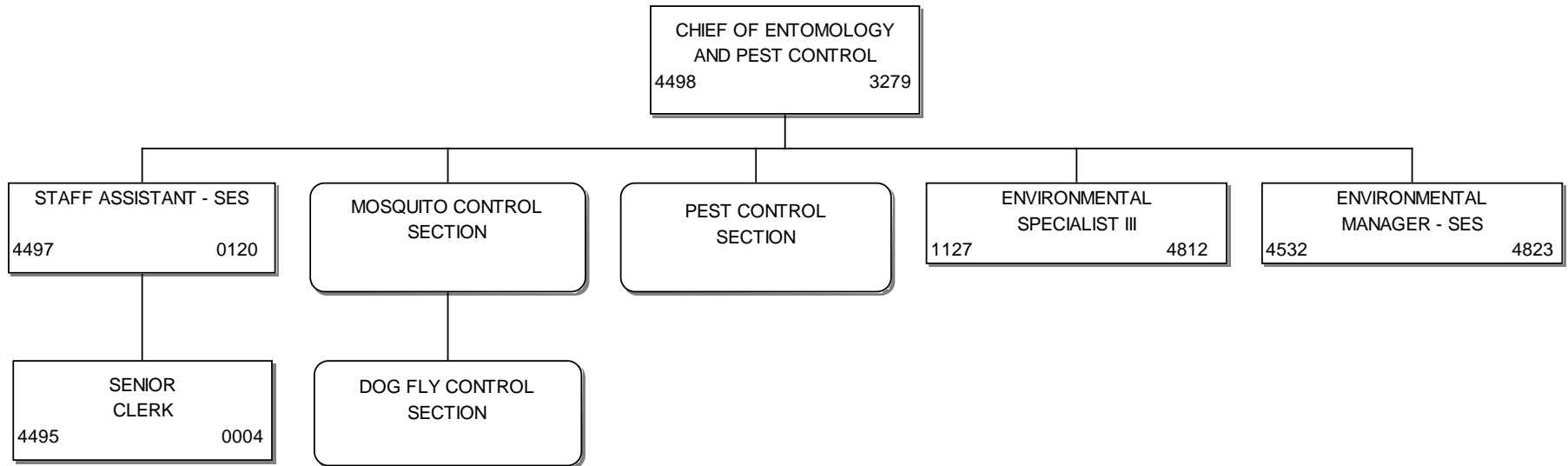
BUREAU OF COMPLIANCE MONITORING  
PAGE 9 OF 9



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 08/10/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

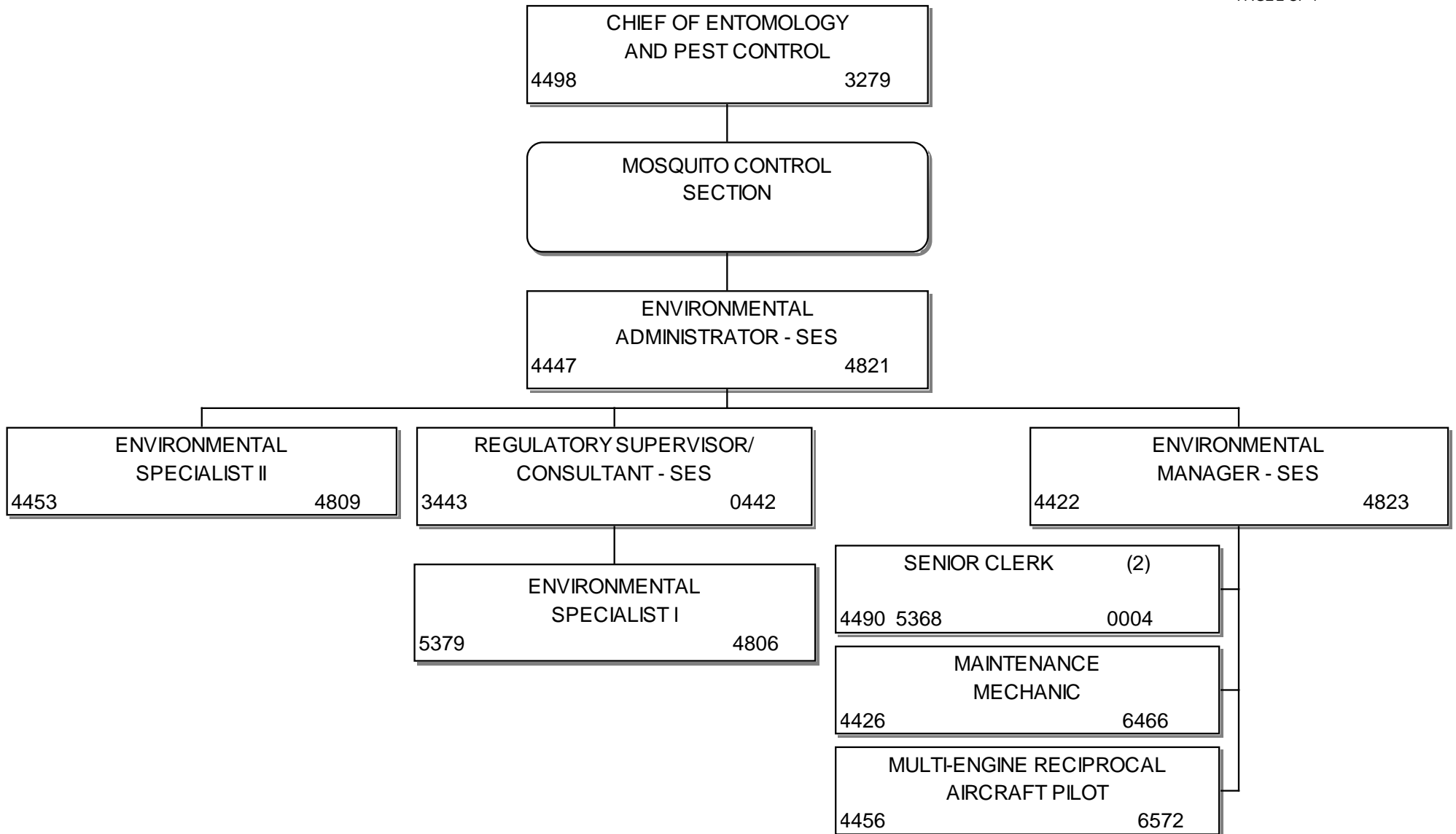
BUREAU OF ENTOMOLOGY AND  
PEST CONTROL  
PAGE 1 OF 4



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 02/23/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

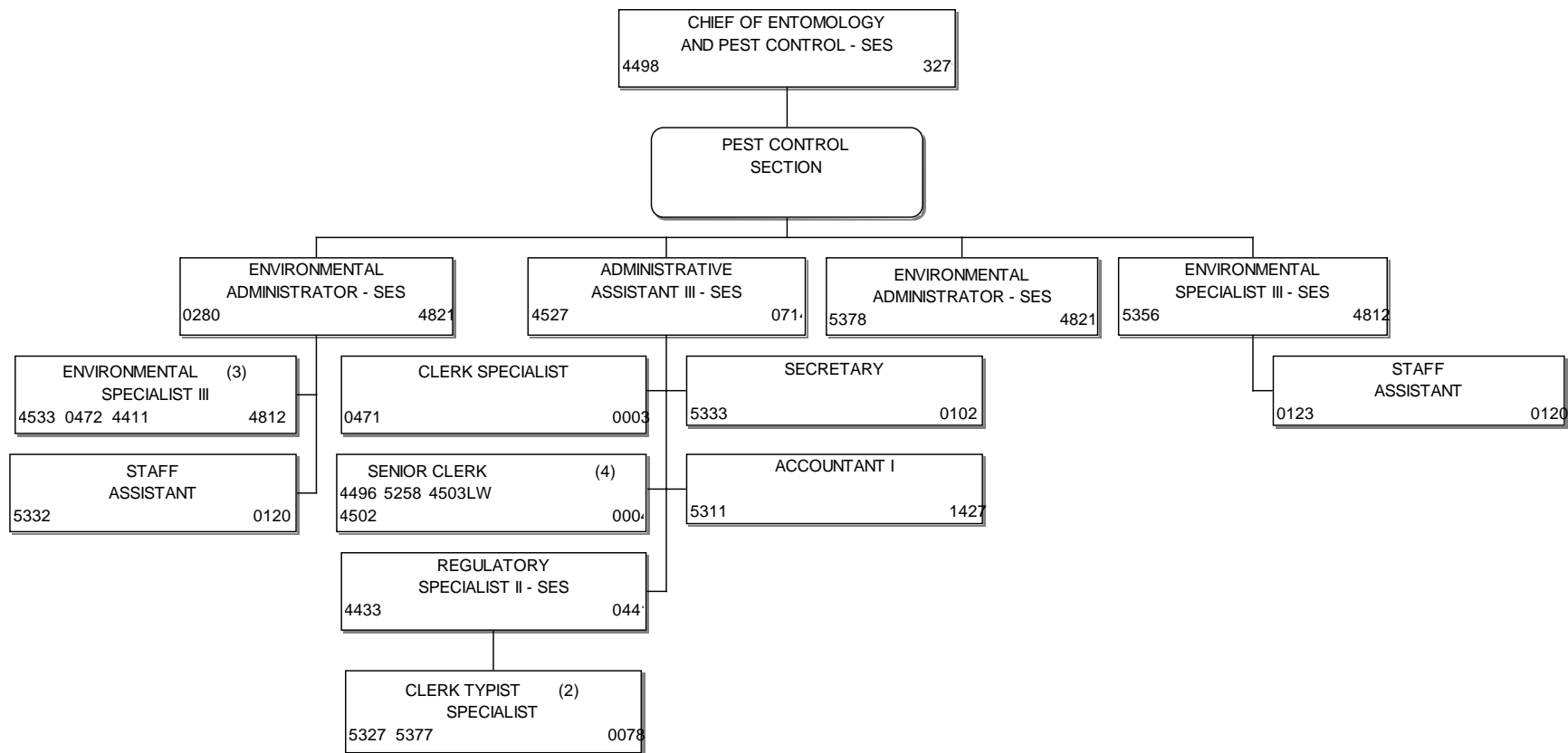
BUREAU OF ENTOMOLOGY  
PEST CONTROL  
PAGE 2 OF 4



ELAINE COOPER, CHIEF OF PERSONNEL MANAGEMENT  
APPROVED DATE: 2/23/2007

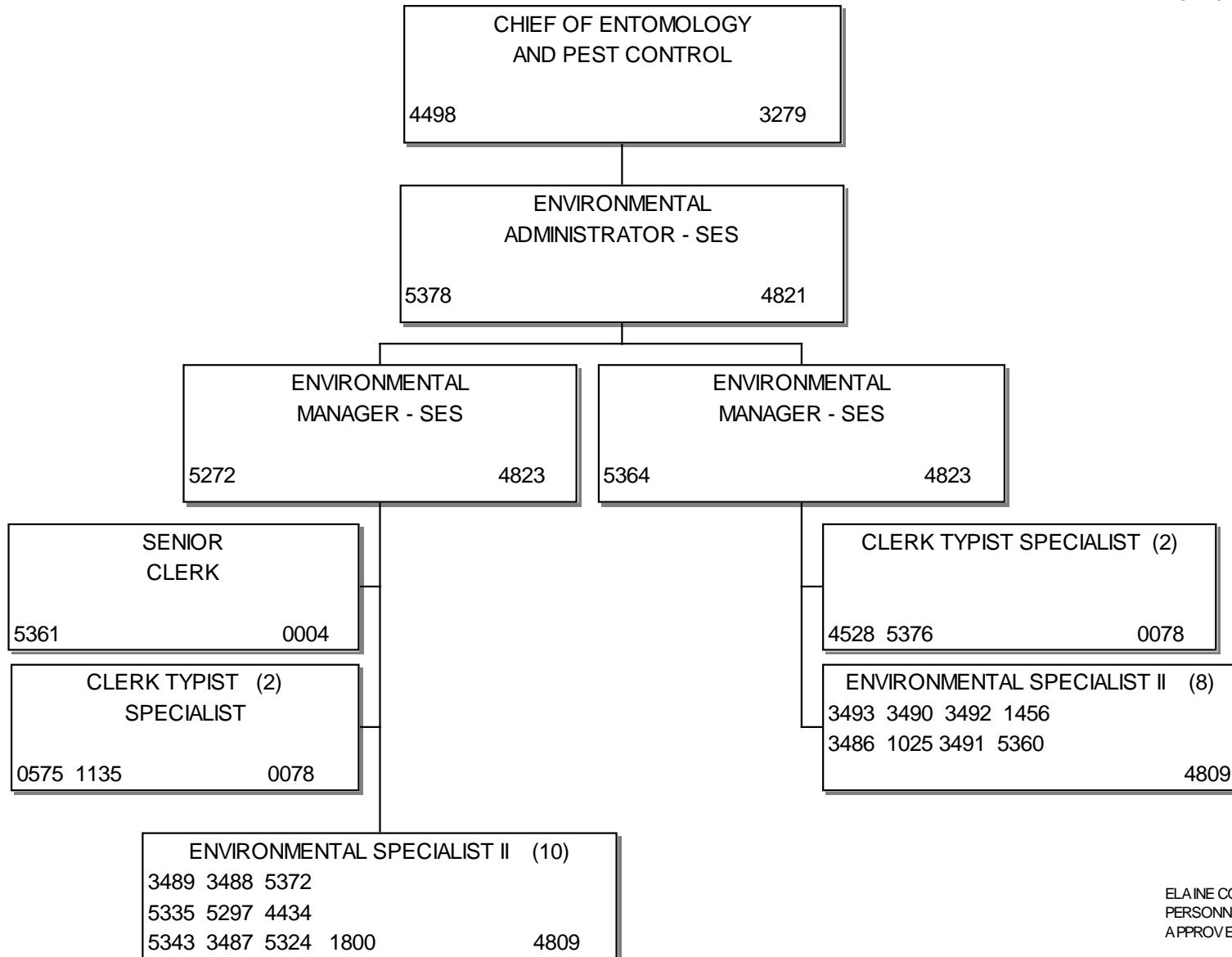
# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - DIVISION OF AGRICULTURAL ENVIRONMENTAL SERVICES

BUREAU OF ENTOMOLOGY AND  
PEST CONTROL  
PAG 3 OF 4



**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

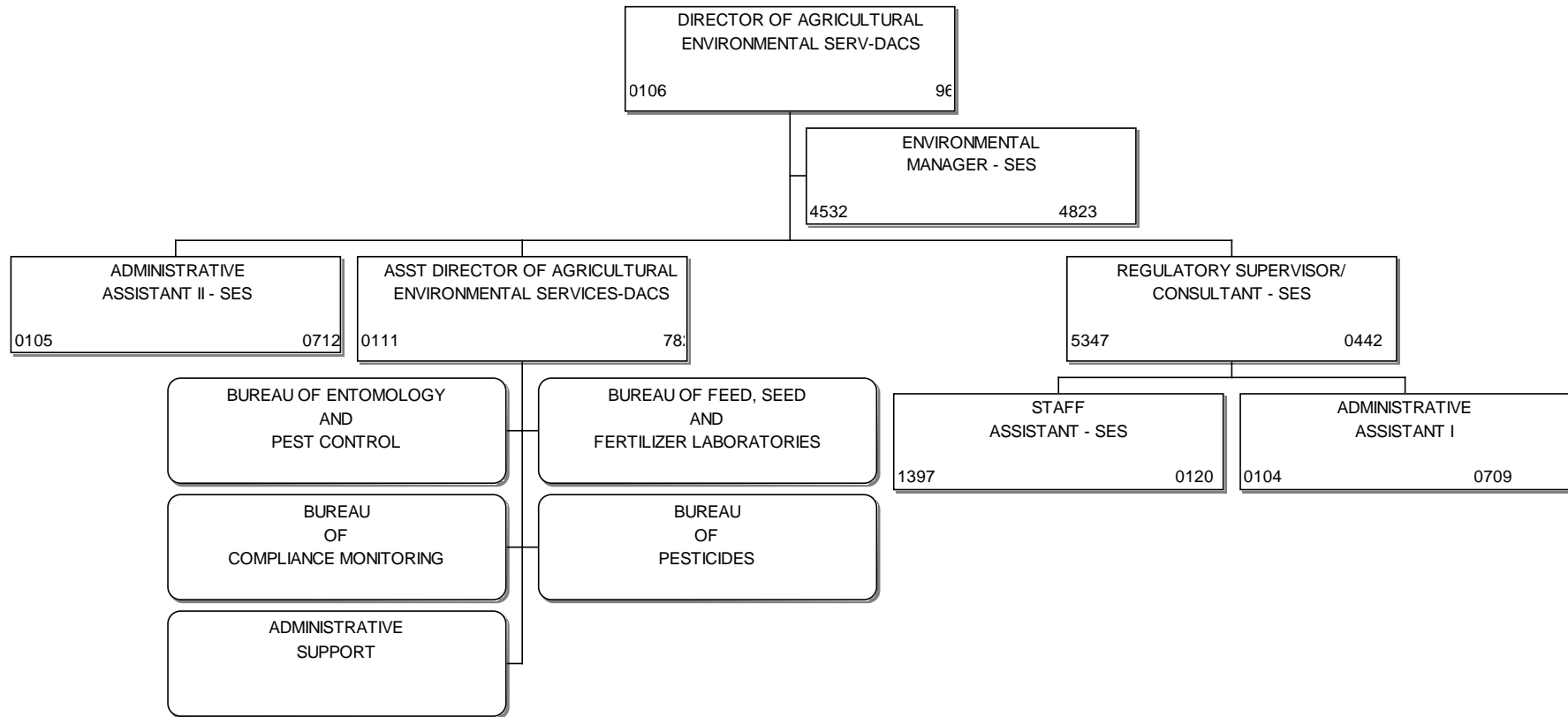
BUREAU OF ENTOMOLOGY AND  
PEST CONTROL  
PAGE 4 OF 4



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 03/23/2007

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - DIVISION OF AGRICULTURAL ENVIRONMENTAL SERVICES

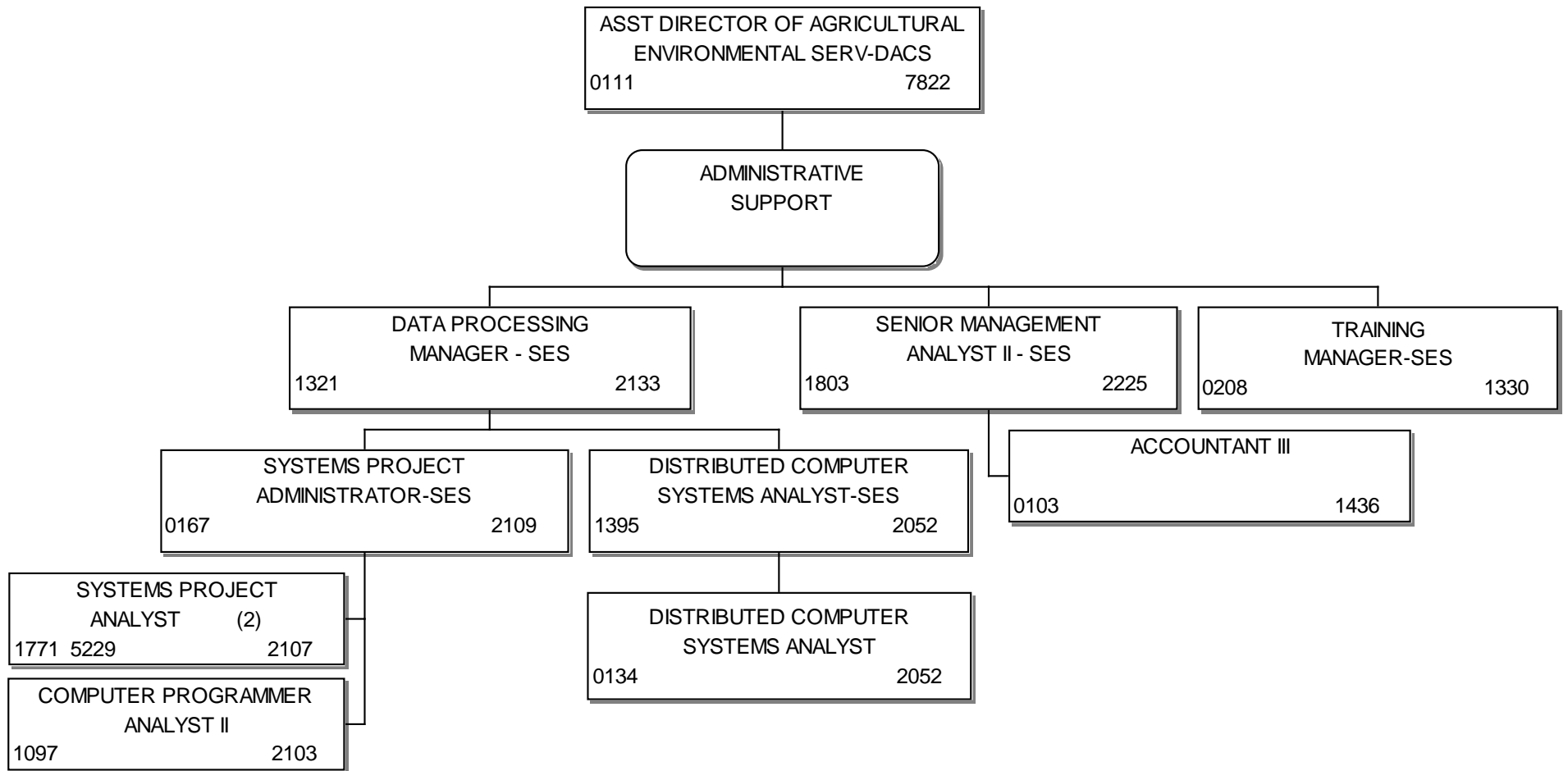
DIVISION F.T.E. 207  
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ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 10/30/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

ADMINISTRATIVE SUPPORT  
PAGE 2 OF 2



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 06/29/2007



**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

BUREAU OF FEED, SEED AND  
FERTILIZER LABORATORIES  
PAGE 1 OF 4

CHIEF OF FEED, SEED AND  
FERTILIZER LABORATORIES-DACS  
0429 7830

STAFF  
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0445 0120

FERTILIZER  
LABORATORY  
SECTION

ENVIRONMENTAL  
ADMINISTRATOR - SES  
1925 4821

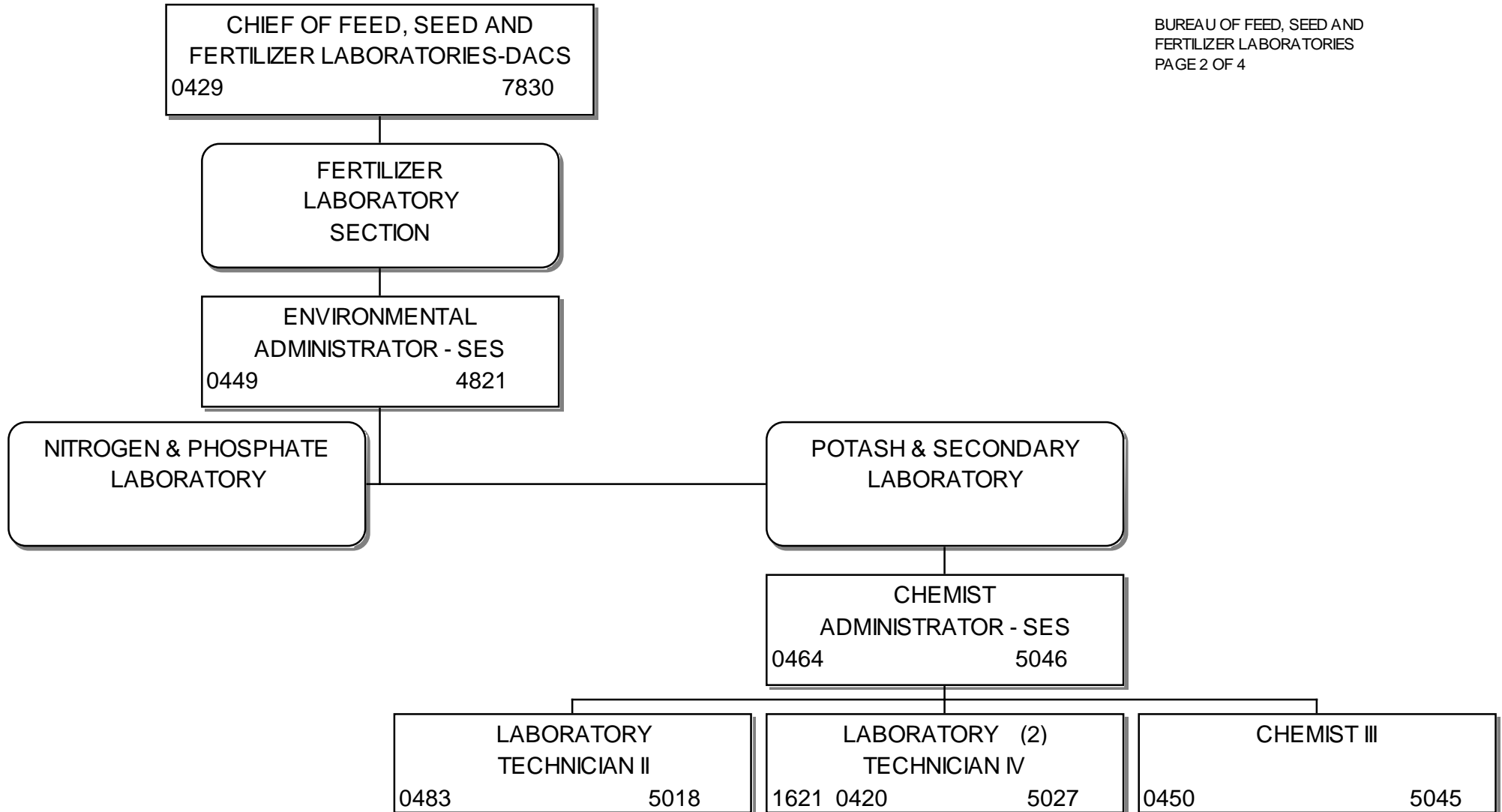
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SYSTEMS OPERATOR (2)  
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ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED : 05/05/2006

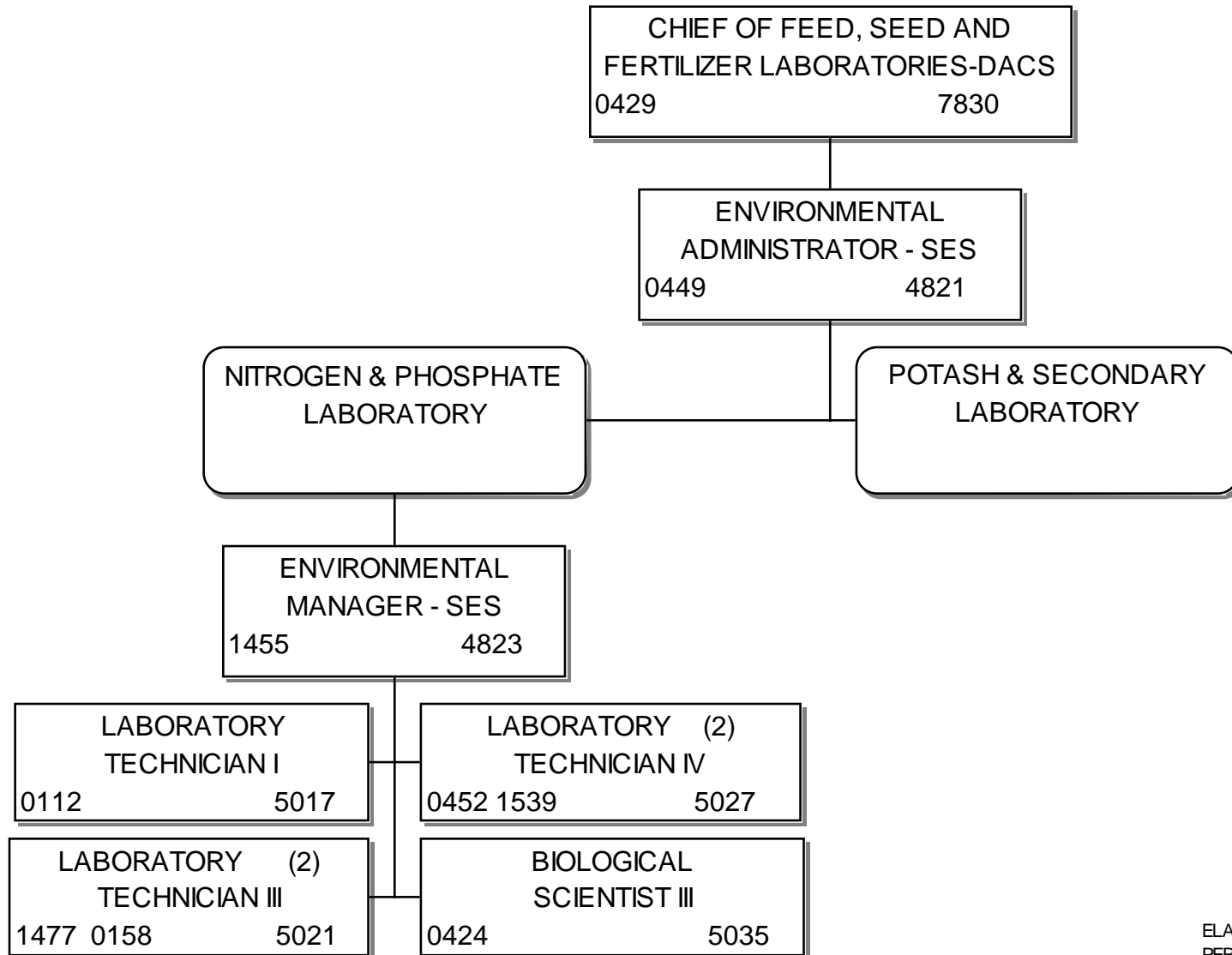
**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

BUREAU OF FEED, SEED AND  
FERTILIZER LABORATORIES  
PAGE 2 OF 4



**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

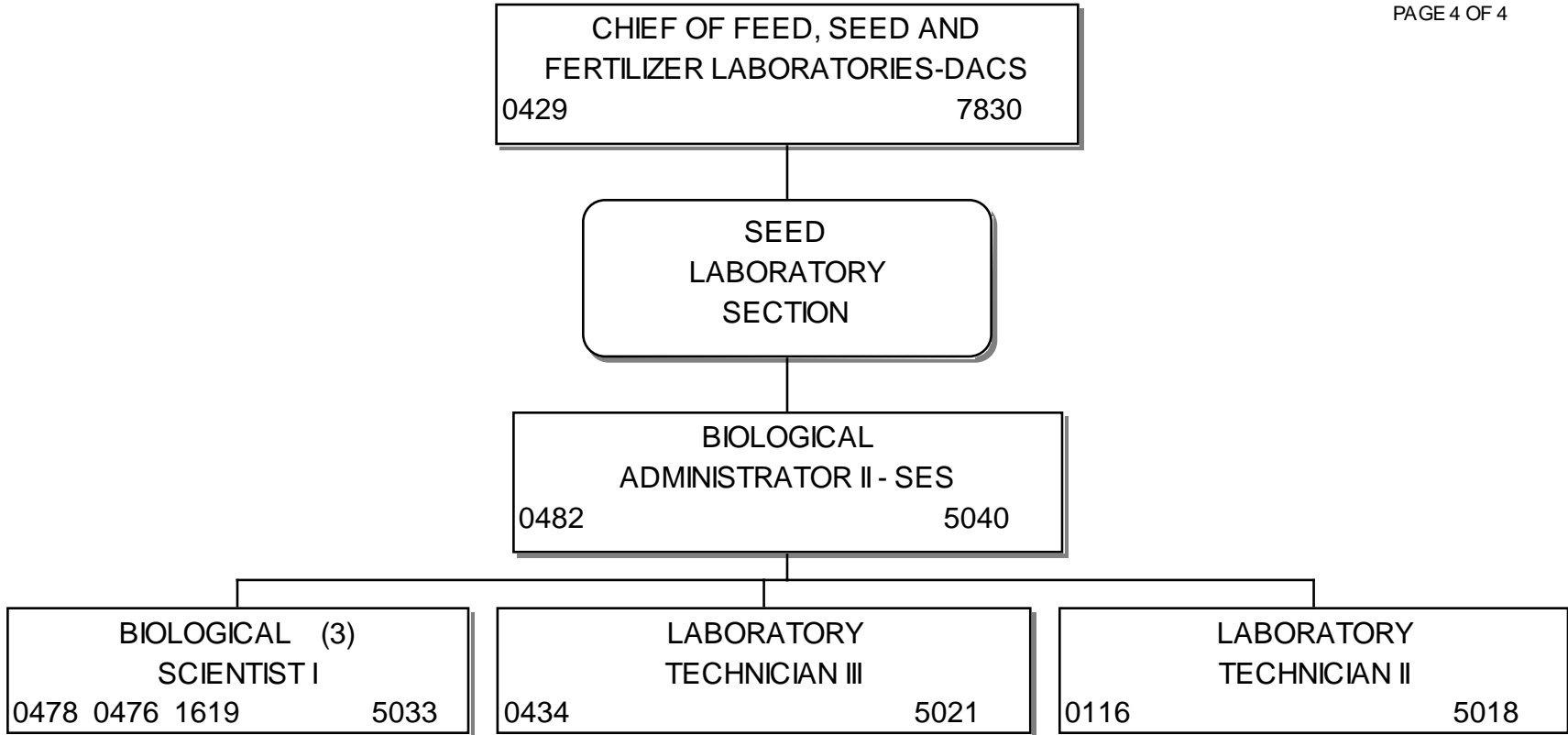
BUREAU OF FEED, SEED AND  
FERTILIZER LABORATORIES  
PAGE 3 OF 4



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 07/13/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

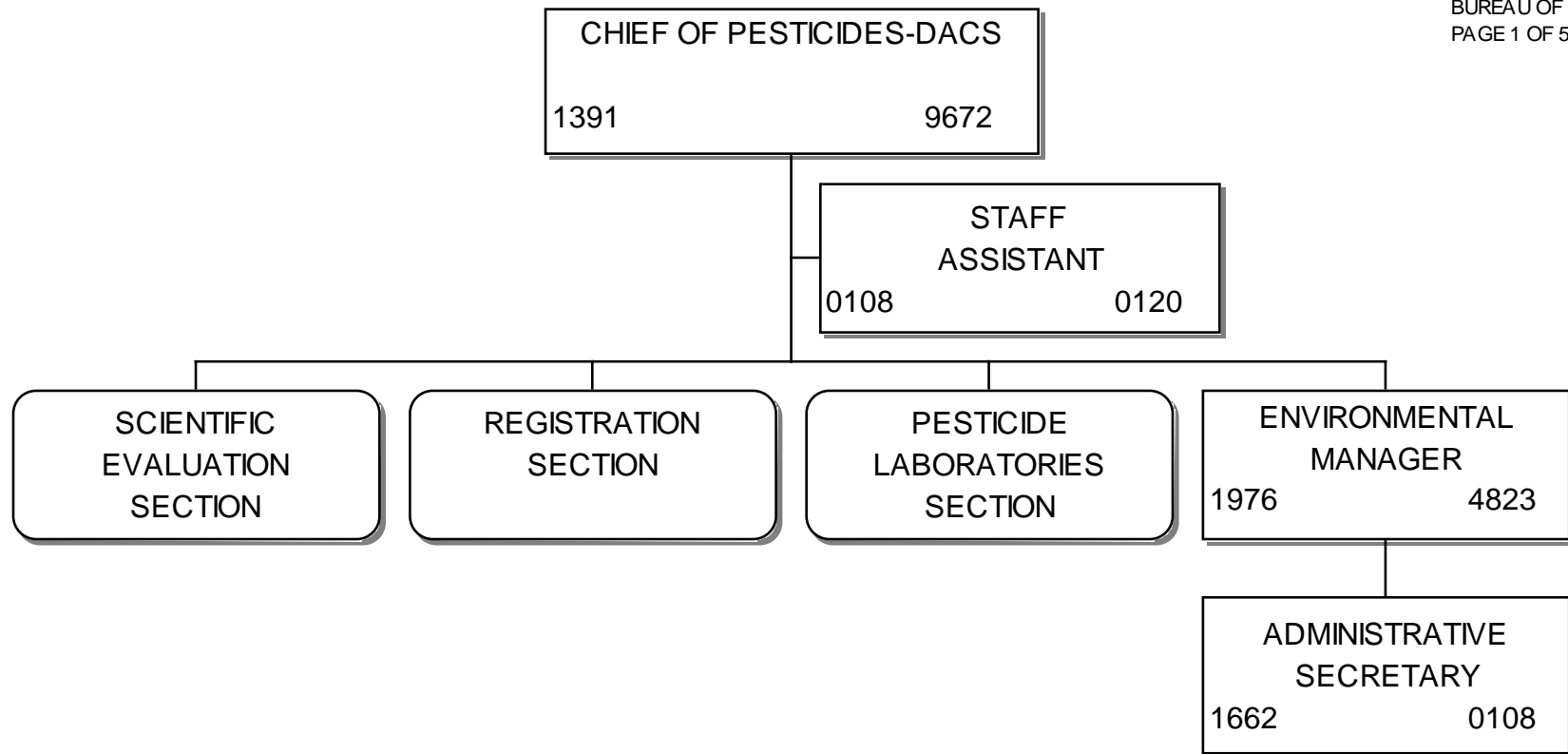
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FERTILIZER LABORATORIES  
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ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 07/13/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

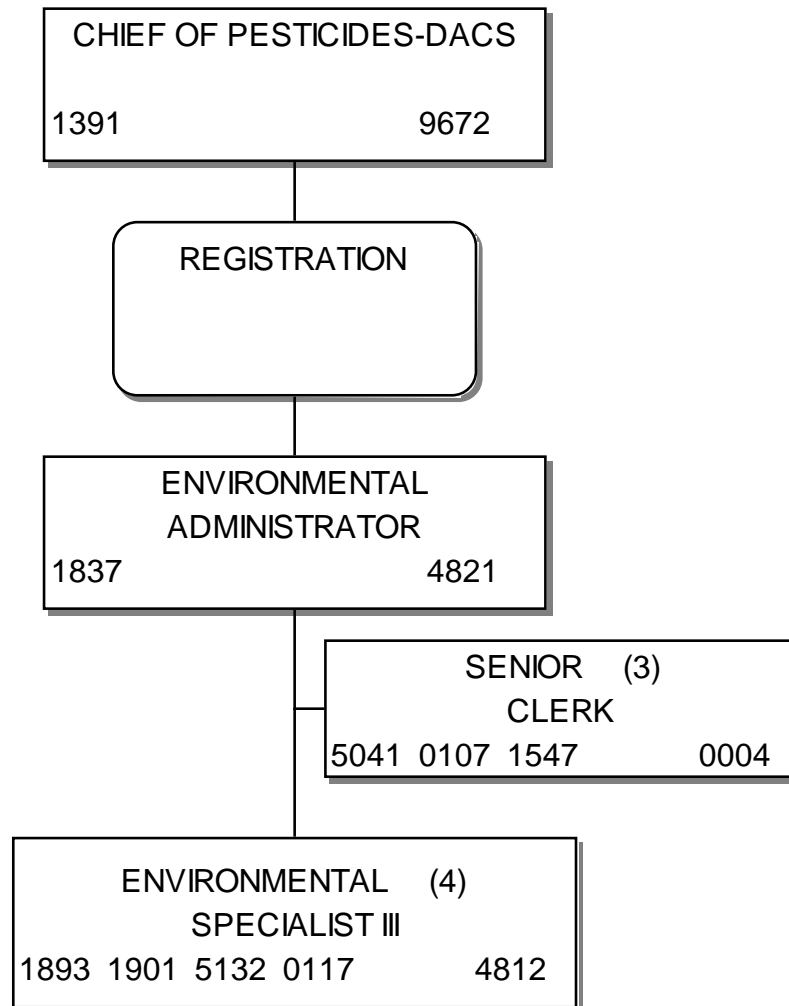
BUREAU OF PESTICIDES  
PAGE 1 OF 5



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 11/18/2005

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

BUREAU OF PESTICIDES  
PAGE 2 OF 5



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 04/21/2006

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

BUREAU OF PESTICIDES  
PAGE 3 OF 5

CHIEF OF PESTICIDES-DACS  
1391 9672

SCIENTIFIC  
EVALUATION  
SECTION

ENVIRONMENTAL  
ADMINISTRATOR - SES  
5005 4821

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PROFESSIONAL  
GEOLOGIST I  
5009 5054

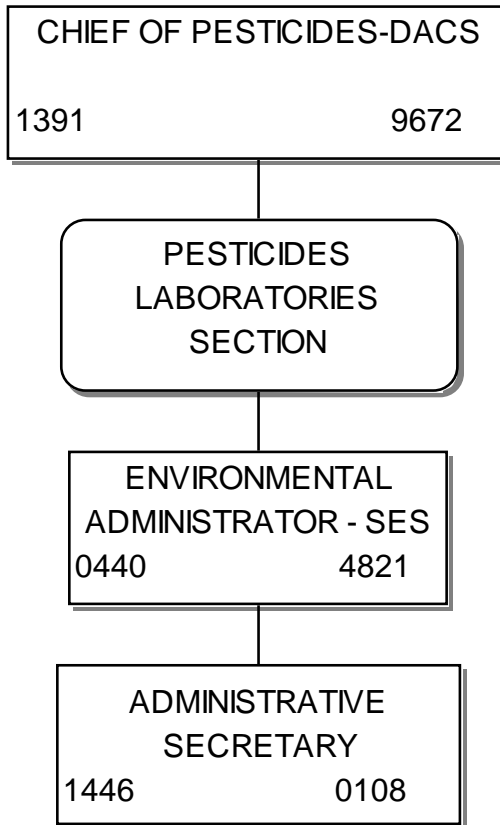
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MANAGER - SES  
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HYDROLOGIST - DACS  
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ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 05/04/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES - DIVISION OF  
AGRICULTURAL ENVIRONMENTAL SERVICES**

BUREAU OF PESTICIDES  
PAGE 4 OF 5

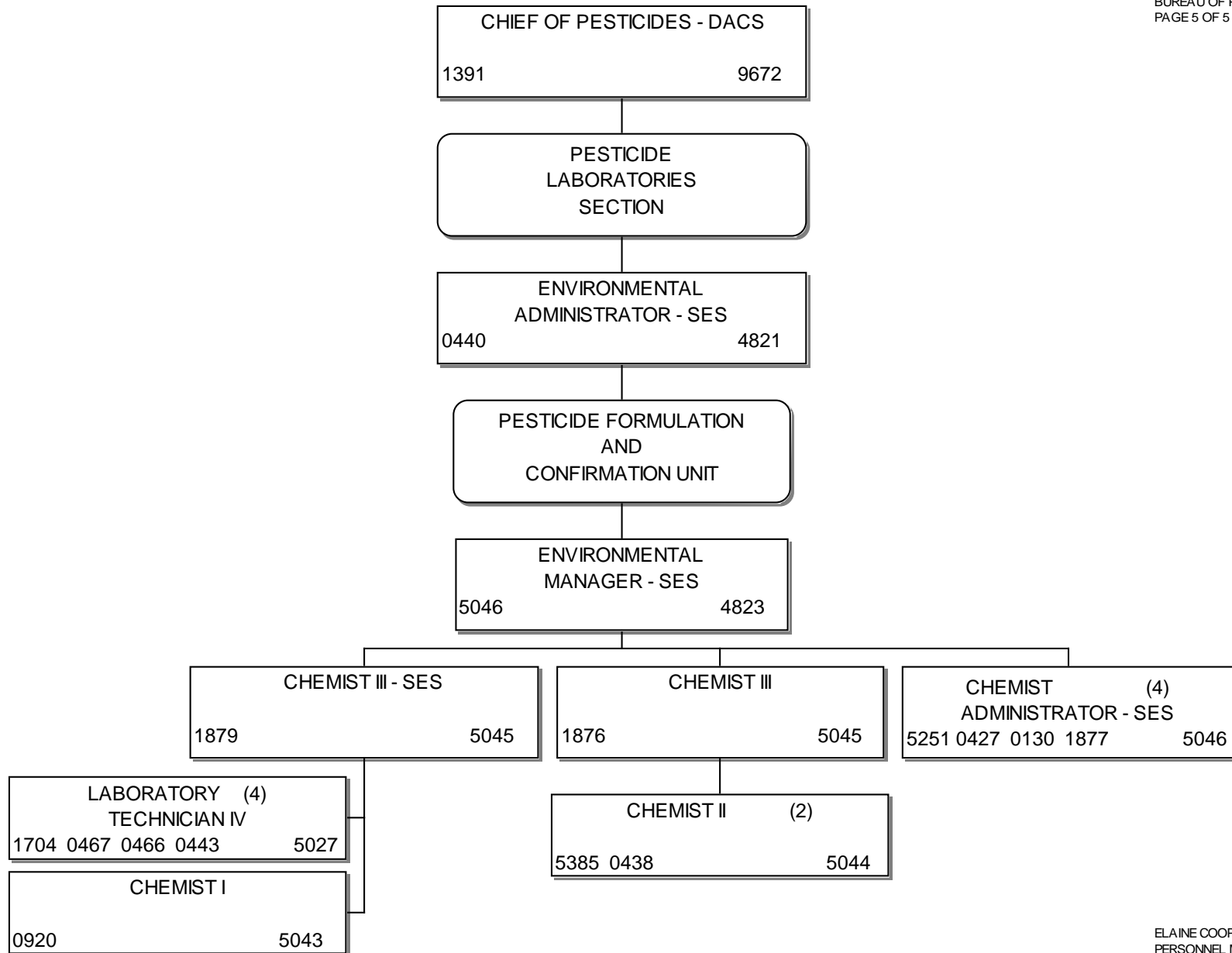


ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 06/07/2007



**DEPARTMENT OF AGRICULTURE  
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AGRICULTURAL ENVIRONMENTAL SERVICES**

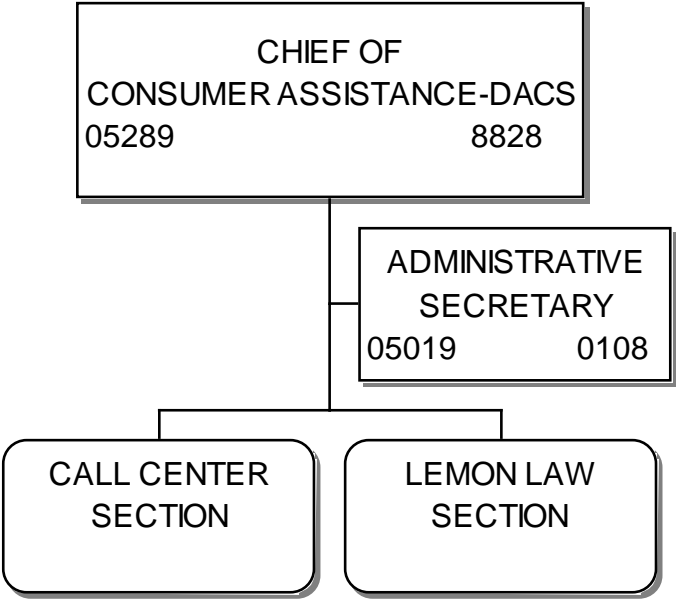
BUREAU OF PESTICIDES  
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ELAINE COOPER, CHIEF OF  
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APPROVED DATE: 06/07/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF CONSUMER SERVICES**

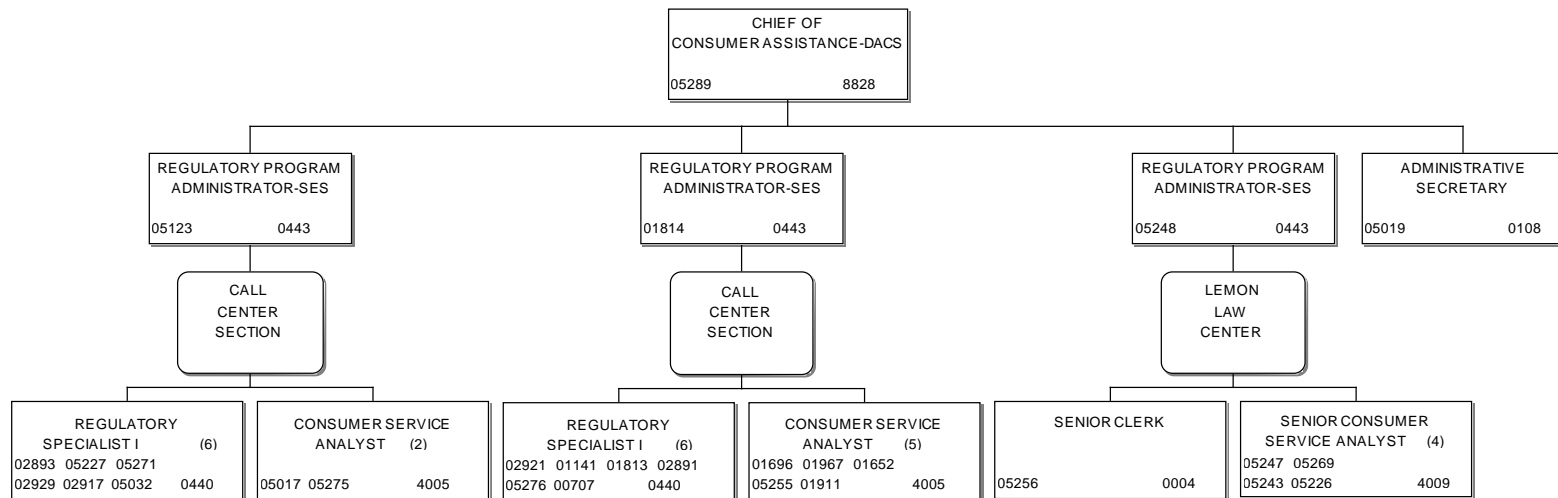
BUREAU OF CONSUMER ASSISTANCE  
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ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 08/25/2005

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF CONSUMER SERVICES

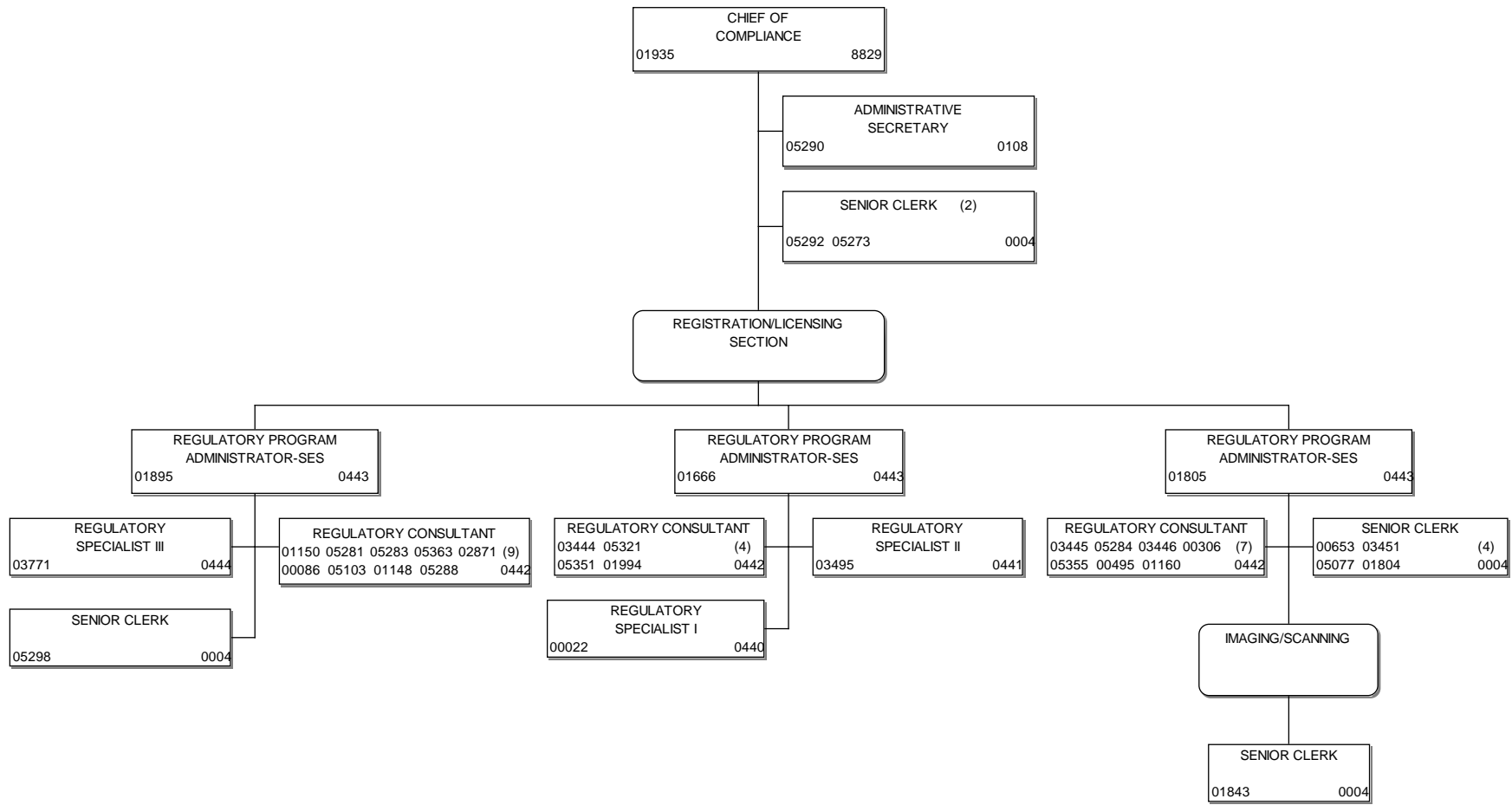
BUREAU OF CONSUMER ASSISTANCE  
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ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 05/18/2007

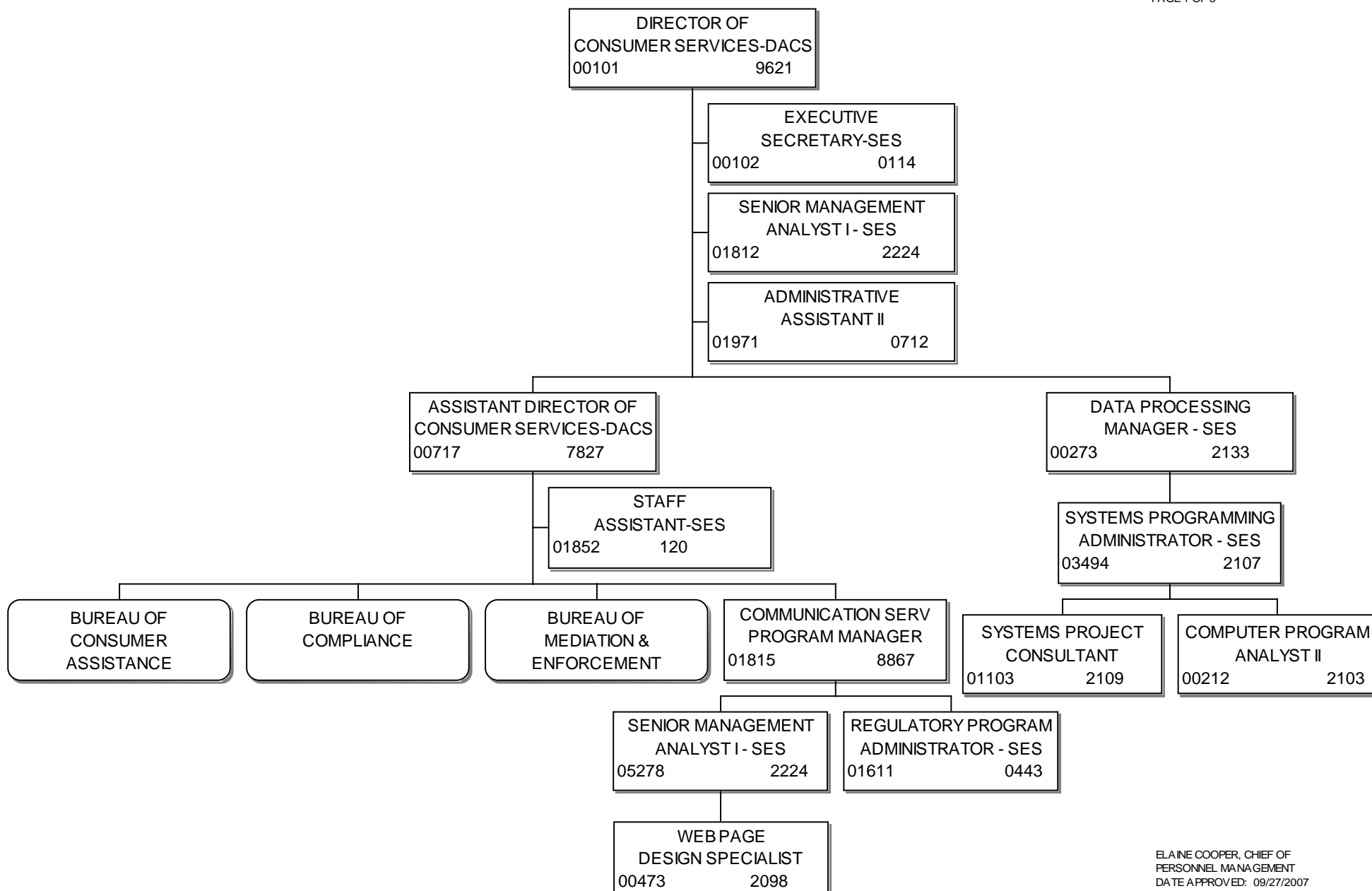
# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF CONSUMER SERVICES

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PAGE 4 OF 5



**DPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF CONSUMER SERVICES**

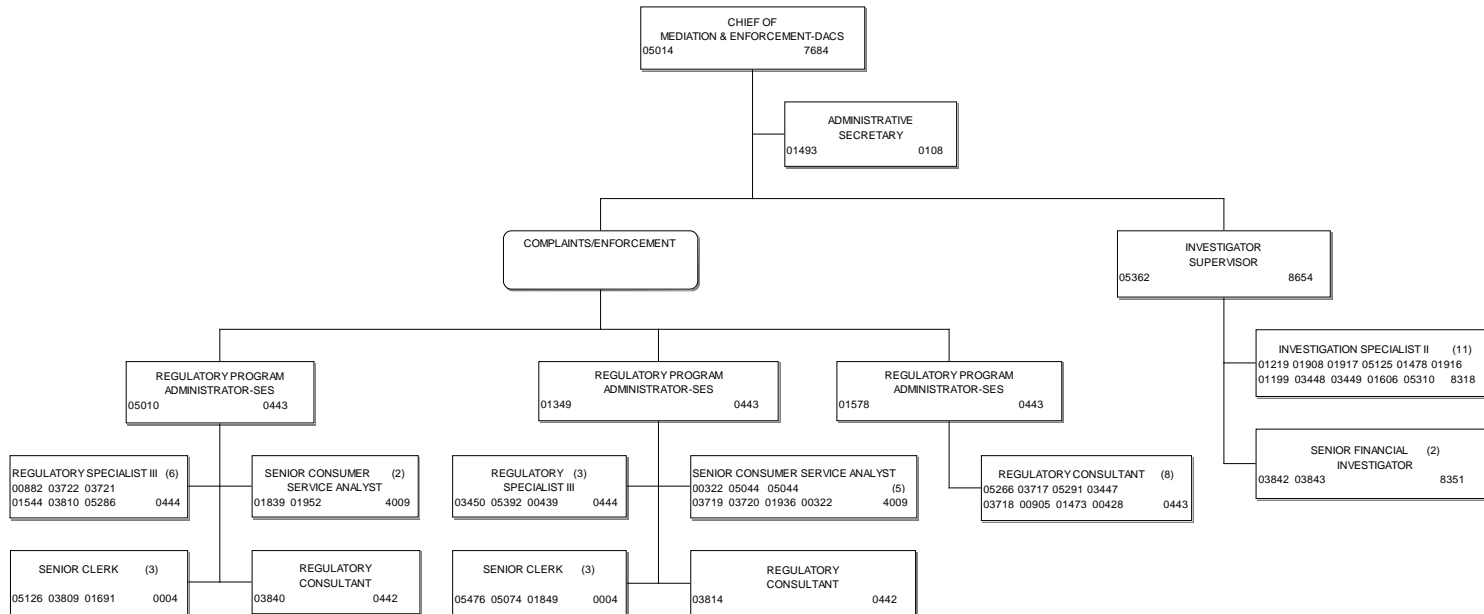
DIVISION F.T.E. 122  
PAGE 1 OF 5



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 09/27/2007

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF CONSUMER SERVICES

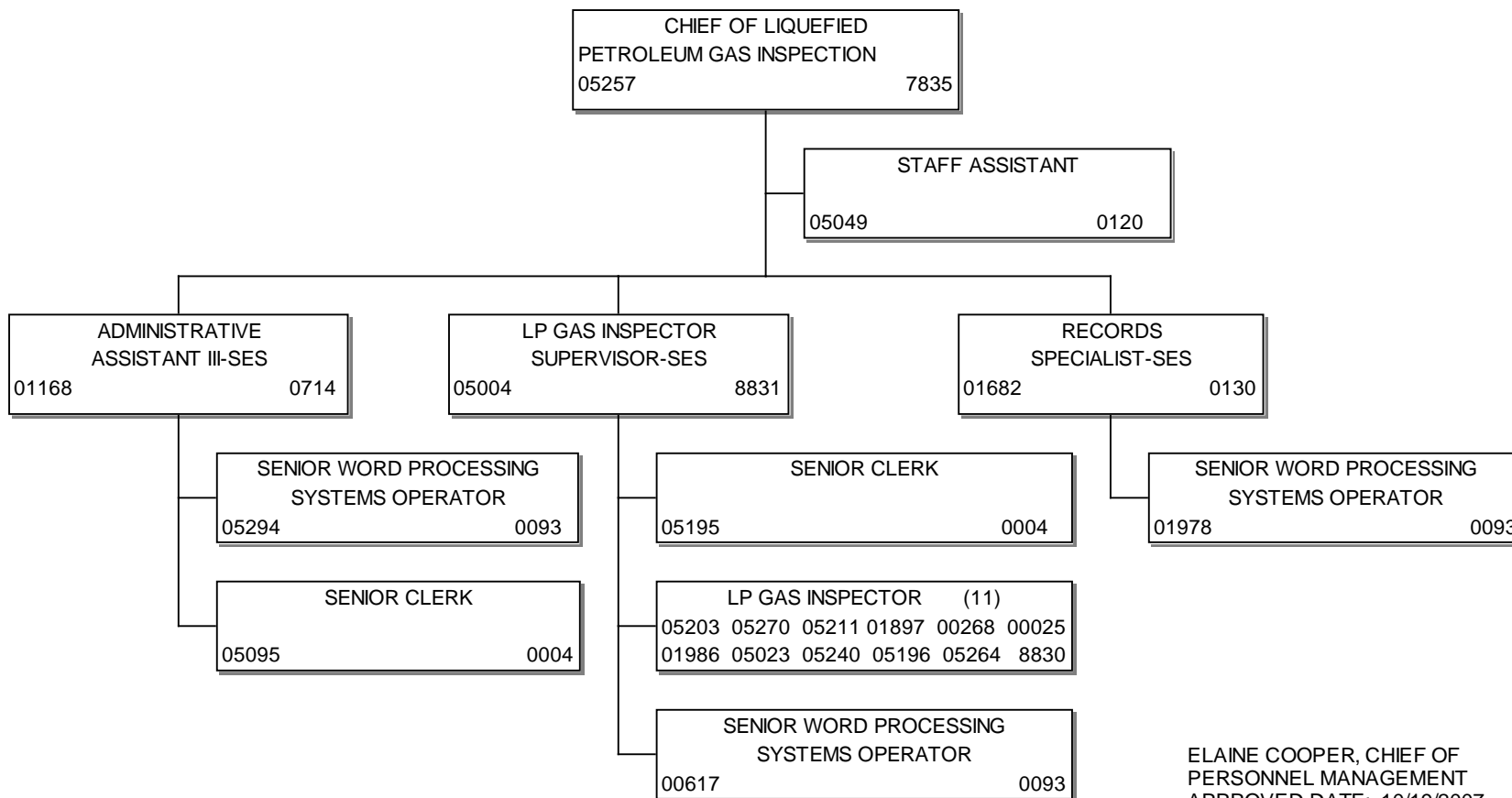
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PAGE 5 OF 5



ELANE COOPER, CHIEF OF PERSONNEL MANAGEMENT  
DATE APPROVED: 09/27/2007

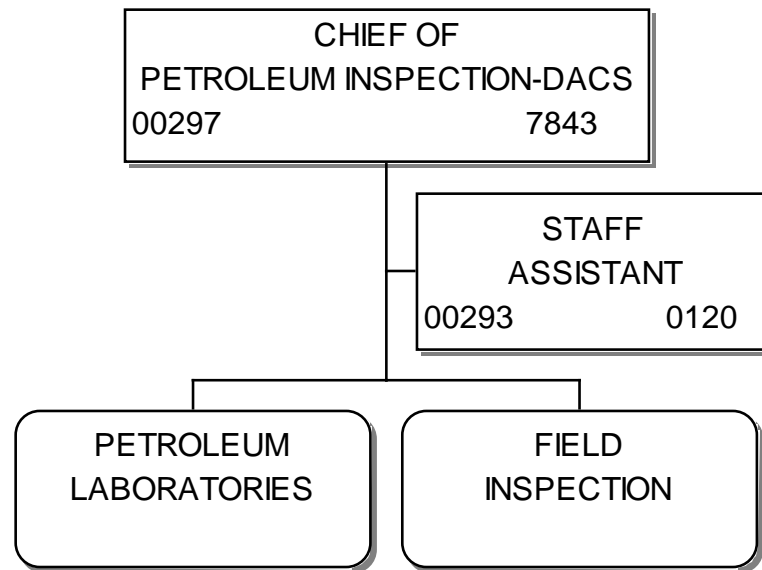
# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF STANDARDS

BUREAU OF LIQUEFIED  
PETROLEUM GAS INSPECTION  
PAGE 1 OF 1



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 10/19/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF STANDARDS**



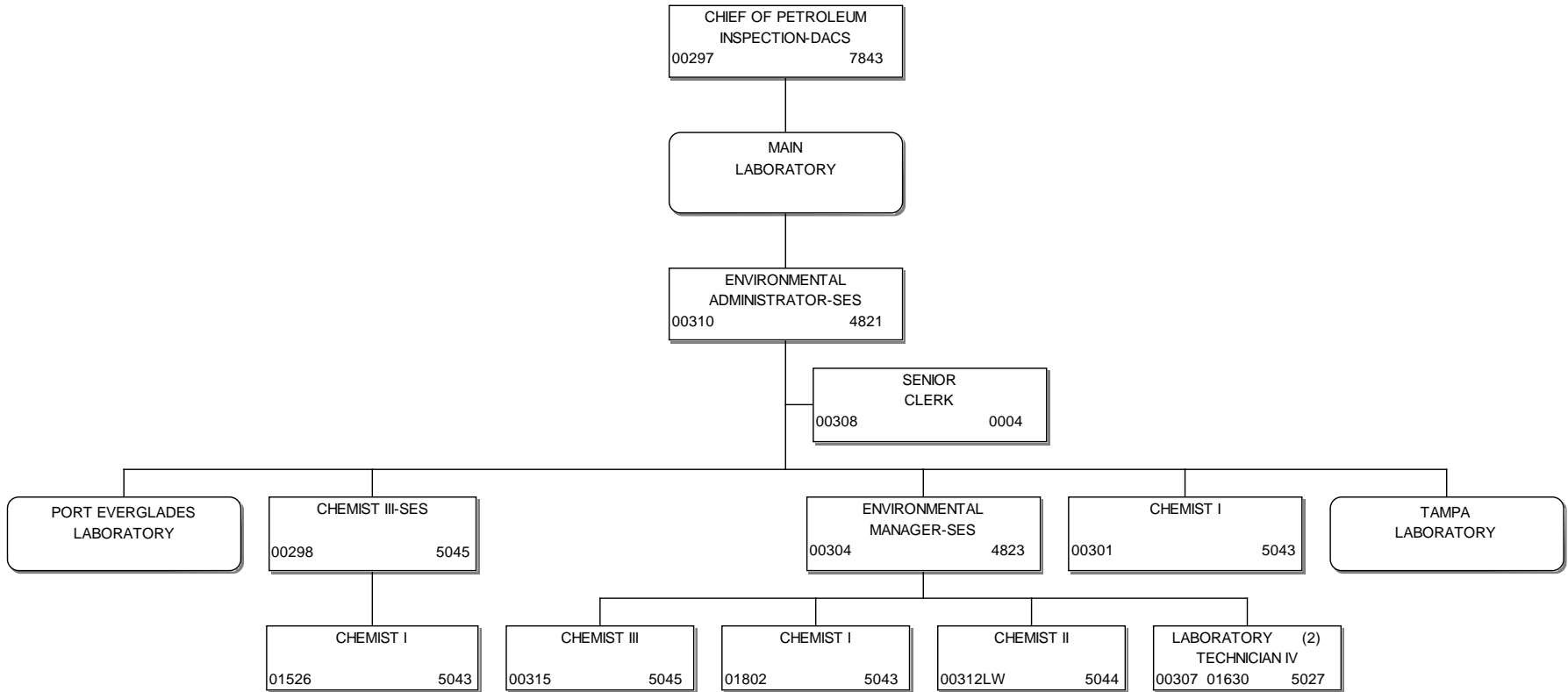
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PAGE 1 OF 5

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 07/01/2002



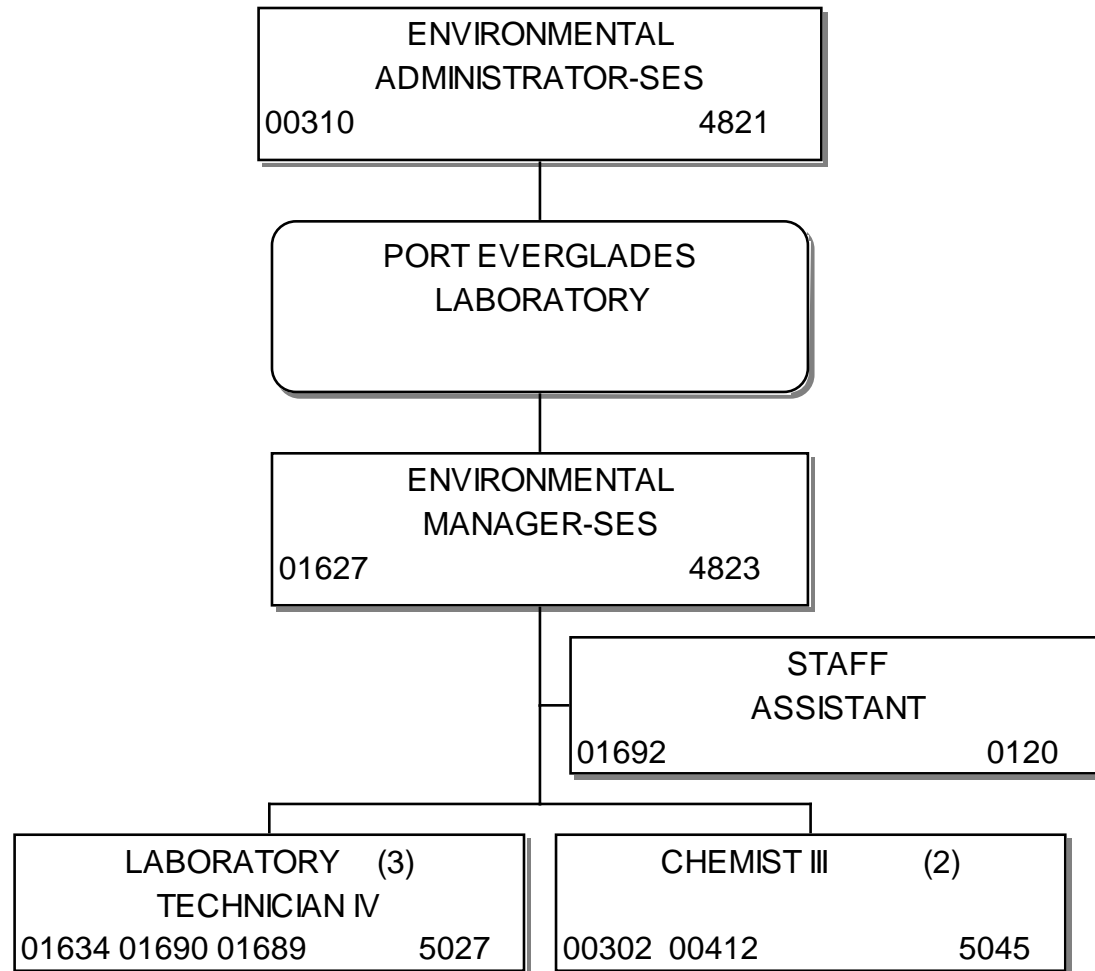
# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF STANDARDS

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PAGE 2 OF 5



**DEPARTMENT OF AGRICULTURE  
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DIVISION OF STANDARDS**

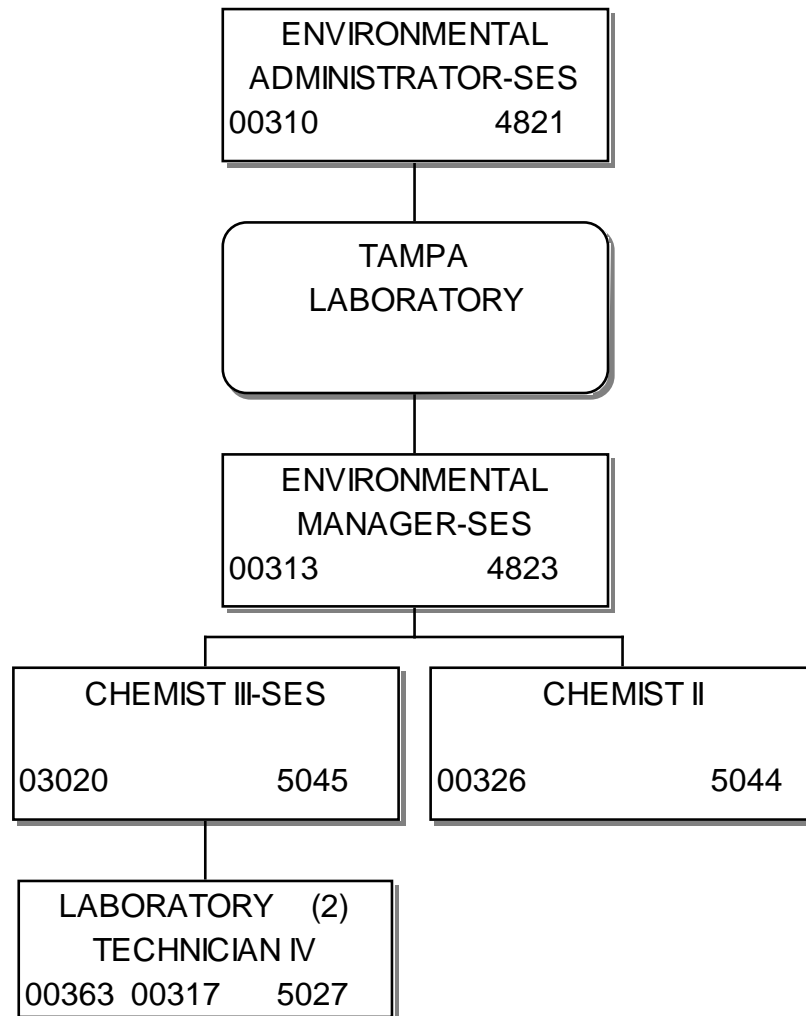
BUREAU OF PETROLEUM INSPECTION  
PAGE 3 OF 5



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 06/01/2007

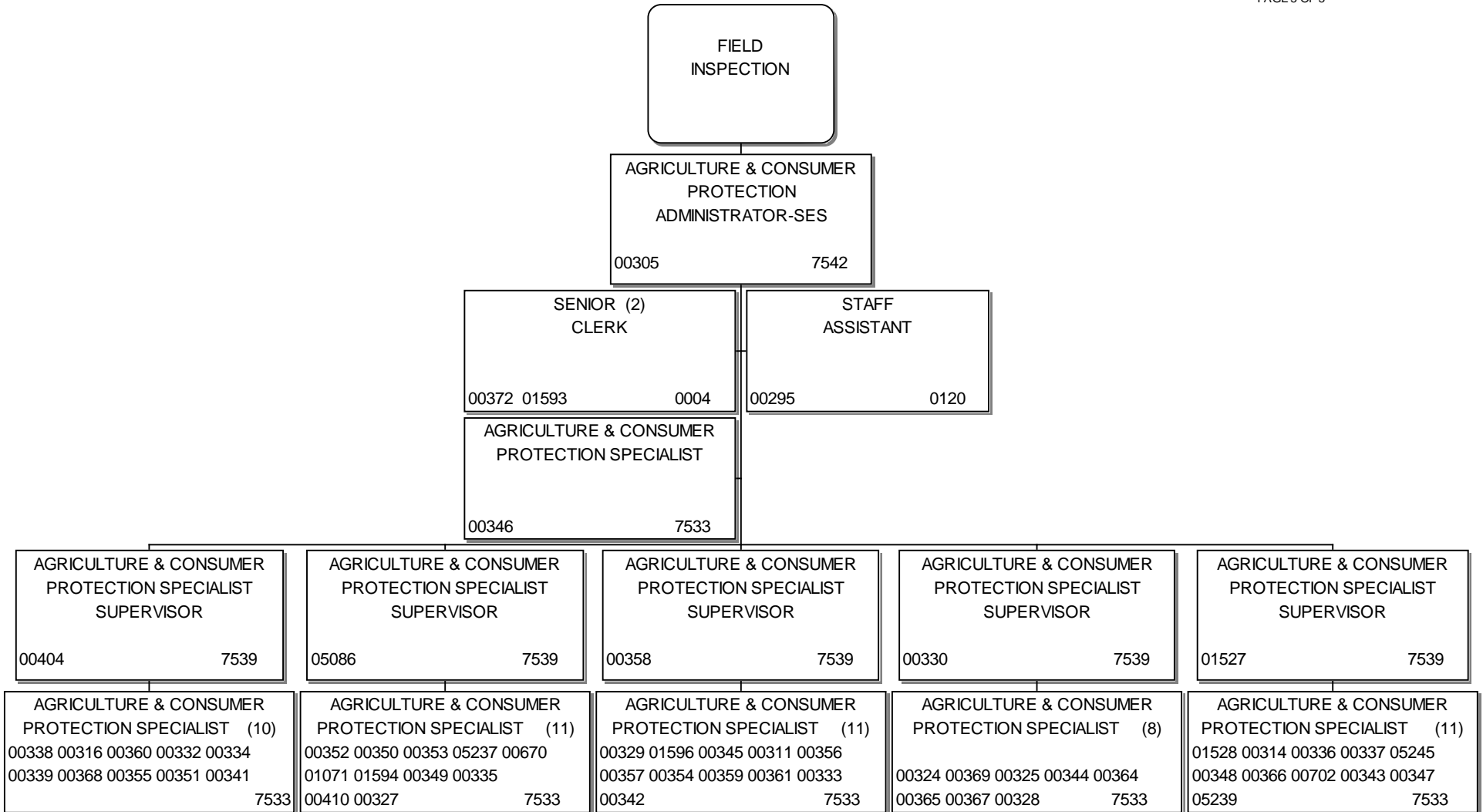
**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF STANDARDS**

BUREAU OF PETROLEUM INSPECTION  
PAGE 4 OF 5



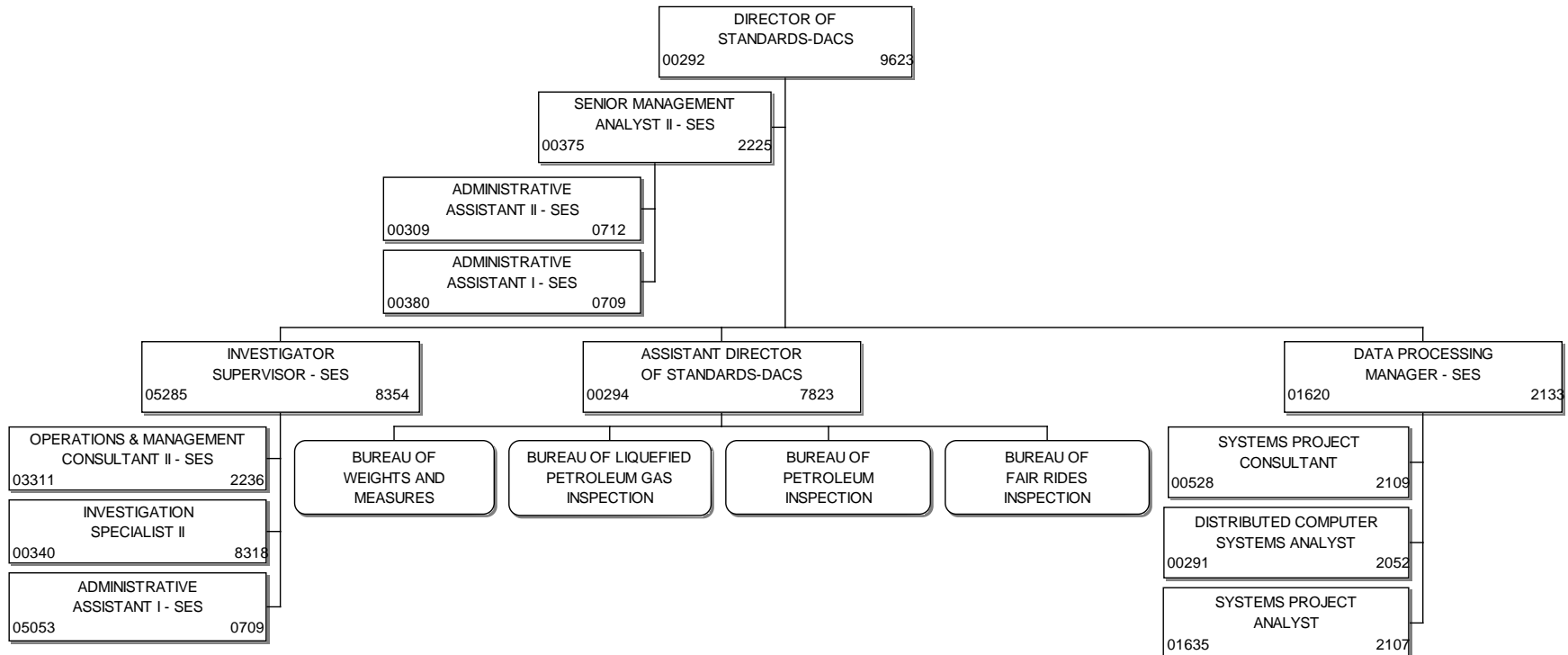
ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 10/15/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF STANDARDS**



# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF STANDARDS

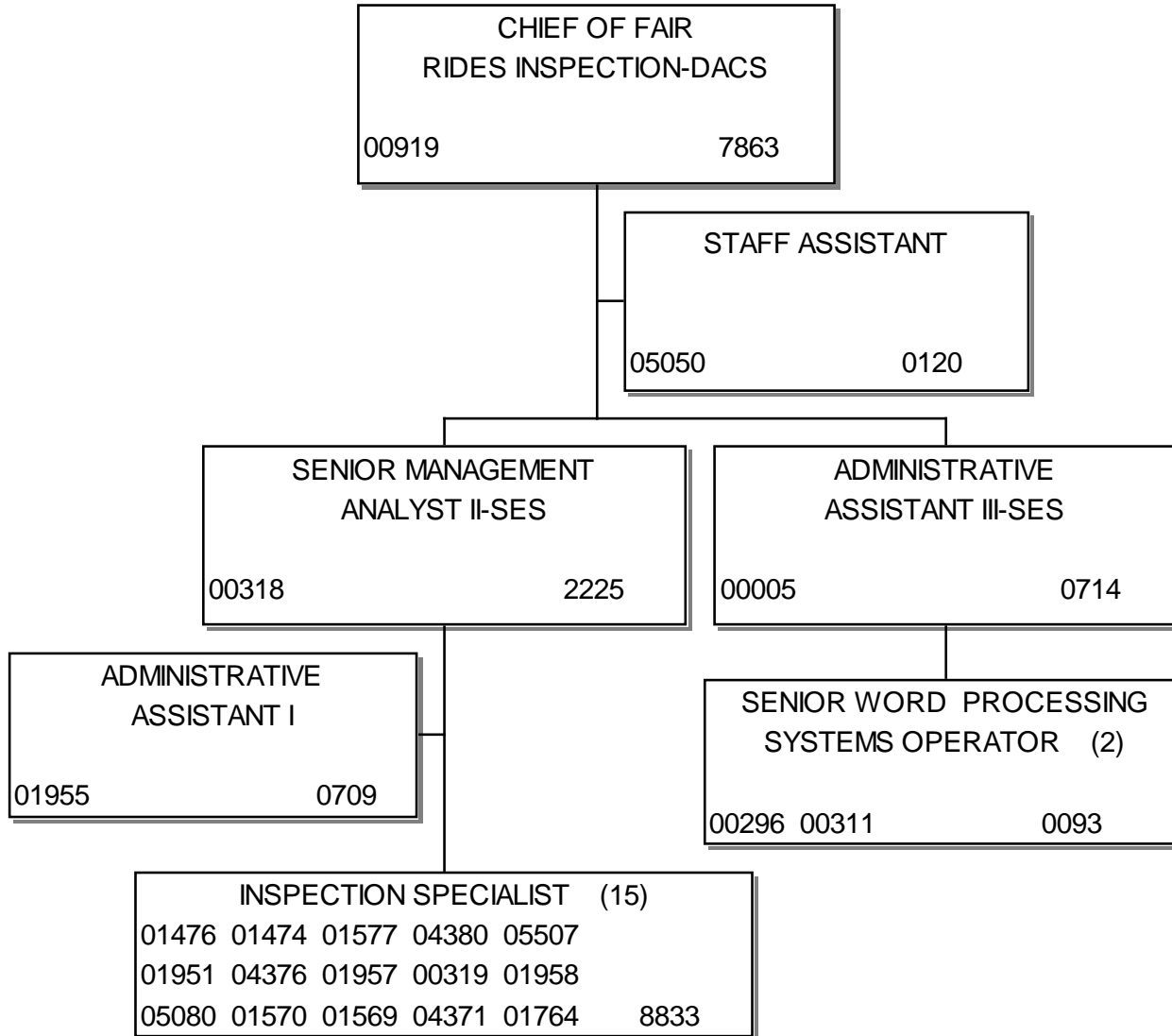
DIVISION F.T.E. 185  
ADMINISTRATIVE  
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ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 06/29/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF STANDARDS**

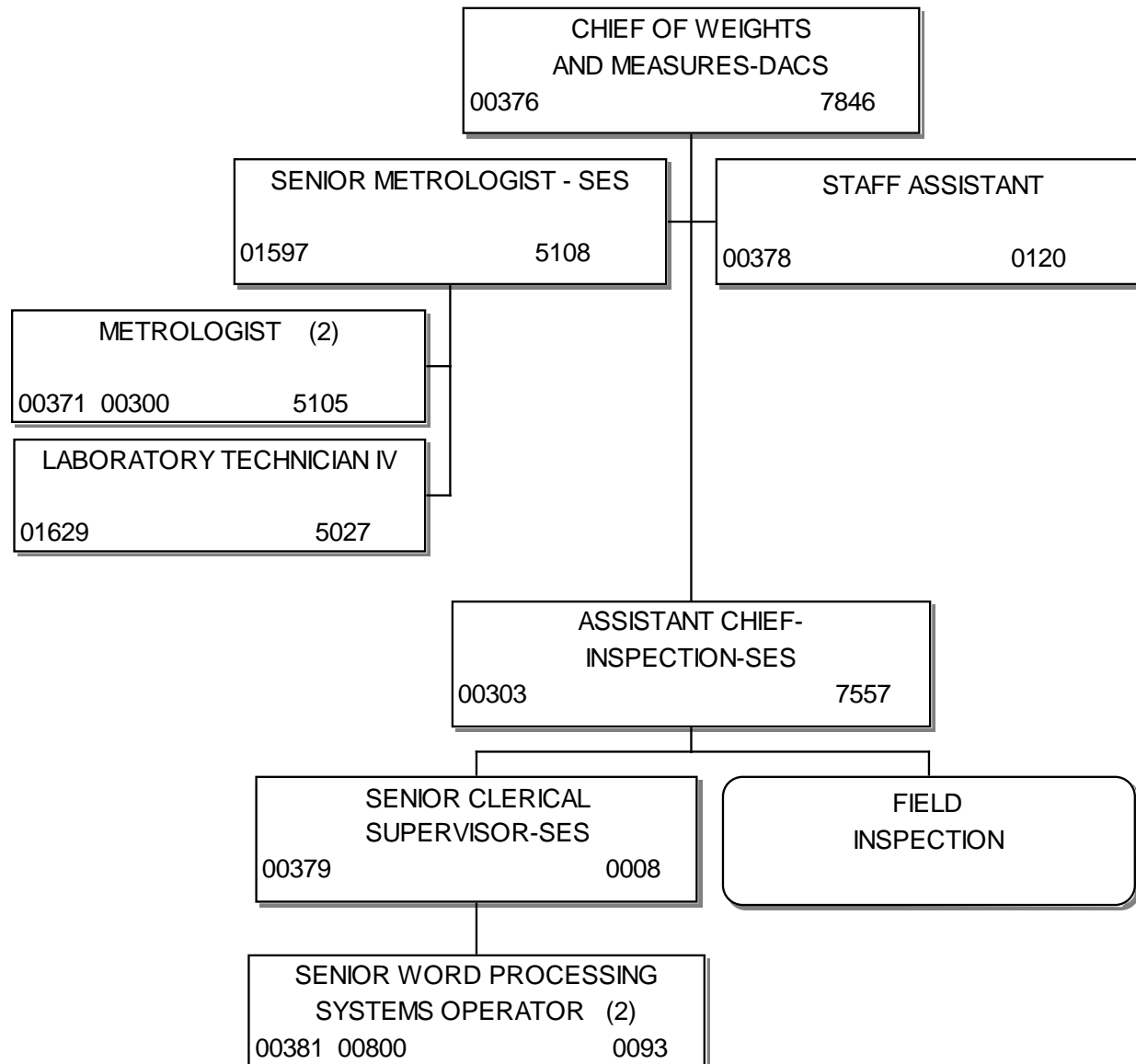
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PAGE 1 OF 1



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 09/21/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF STANDARDS**

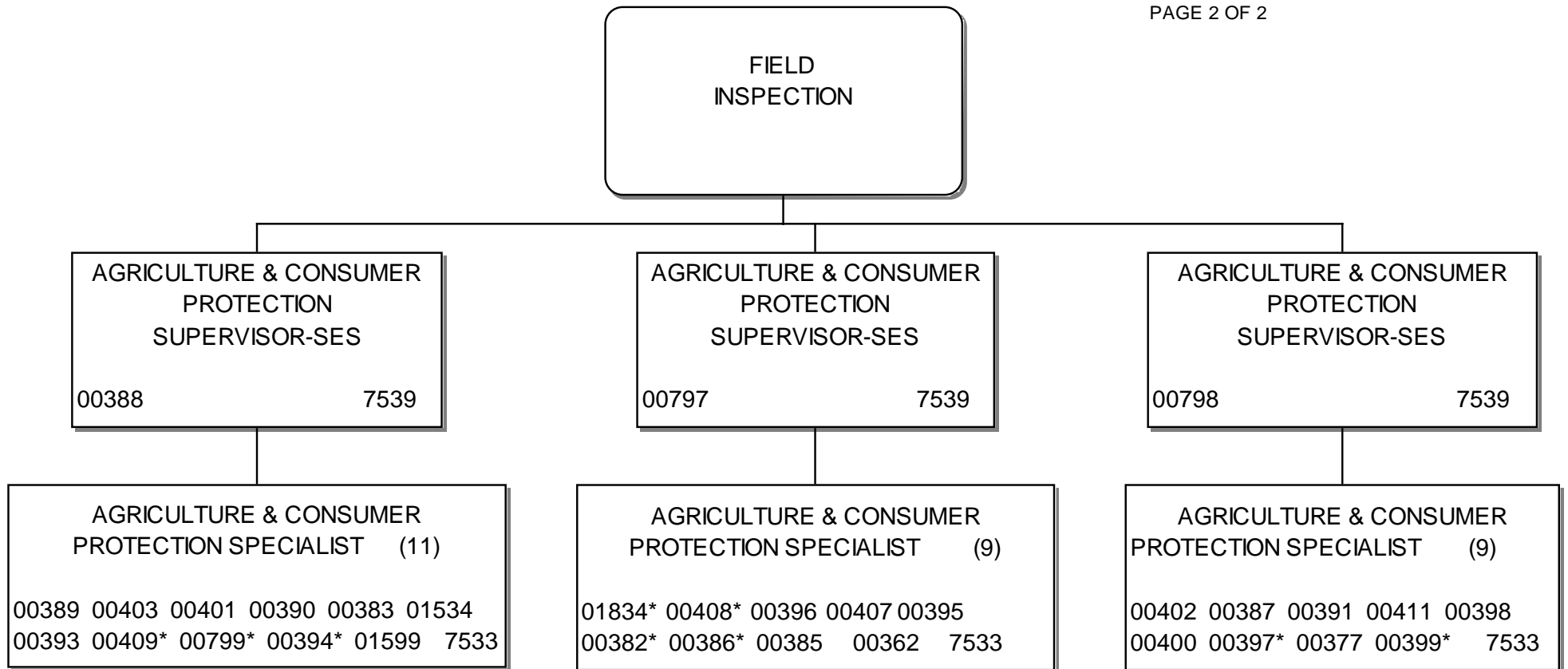
BUREAU OF WEIGHTS AND MEASURES  
PAGE 1 OF 2



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 03/23/2007

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF STANDARDS

BUREAU OF WEIGHTS AND MEASURES  
PAGE 2 OF 2

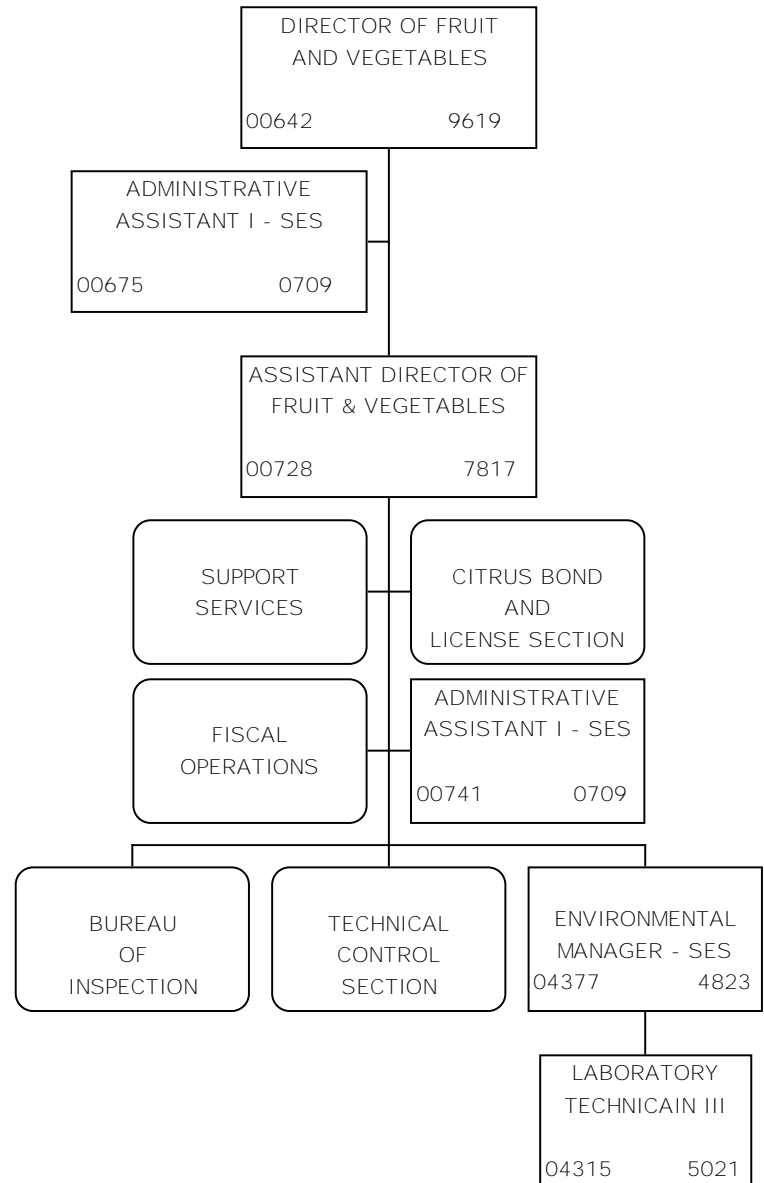


\*-PRIMARY WORKER

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 02/16/2007



**FLORIDA DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**

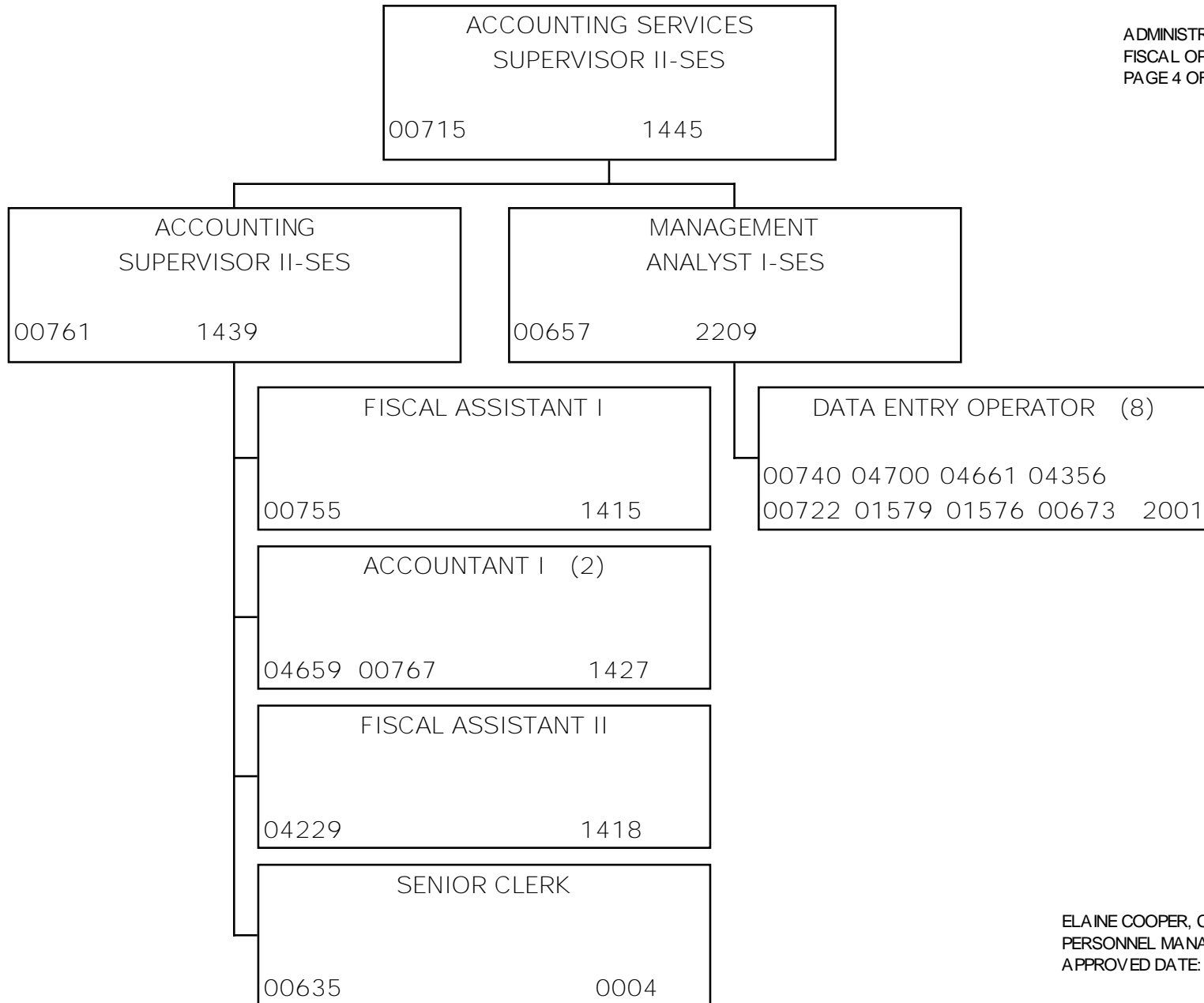


DIVISION F.T.E. 306  
ADMINISTRATIVE  
PAGE 1 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 10/27/2006

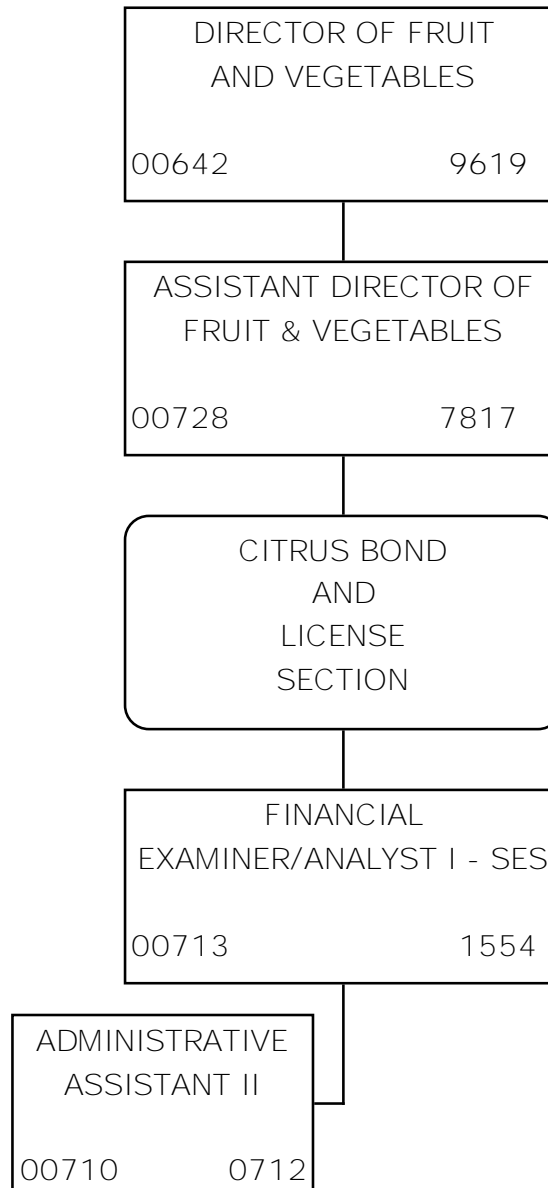
**FLORIDA DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**

ADMINISTRATIVE  
FISCAL OPERATIONS  
PAGE 4 OF 4



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 06/13/2008

**FLORIDA DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**

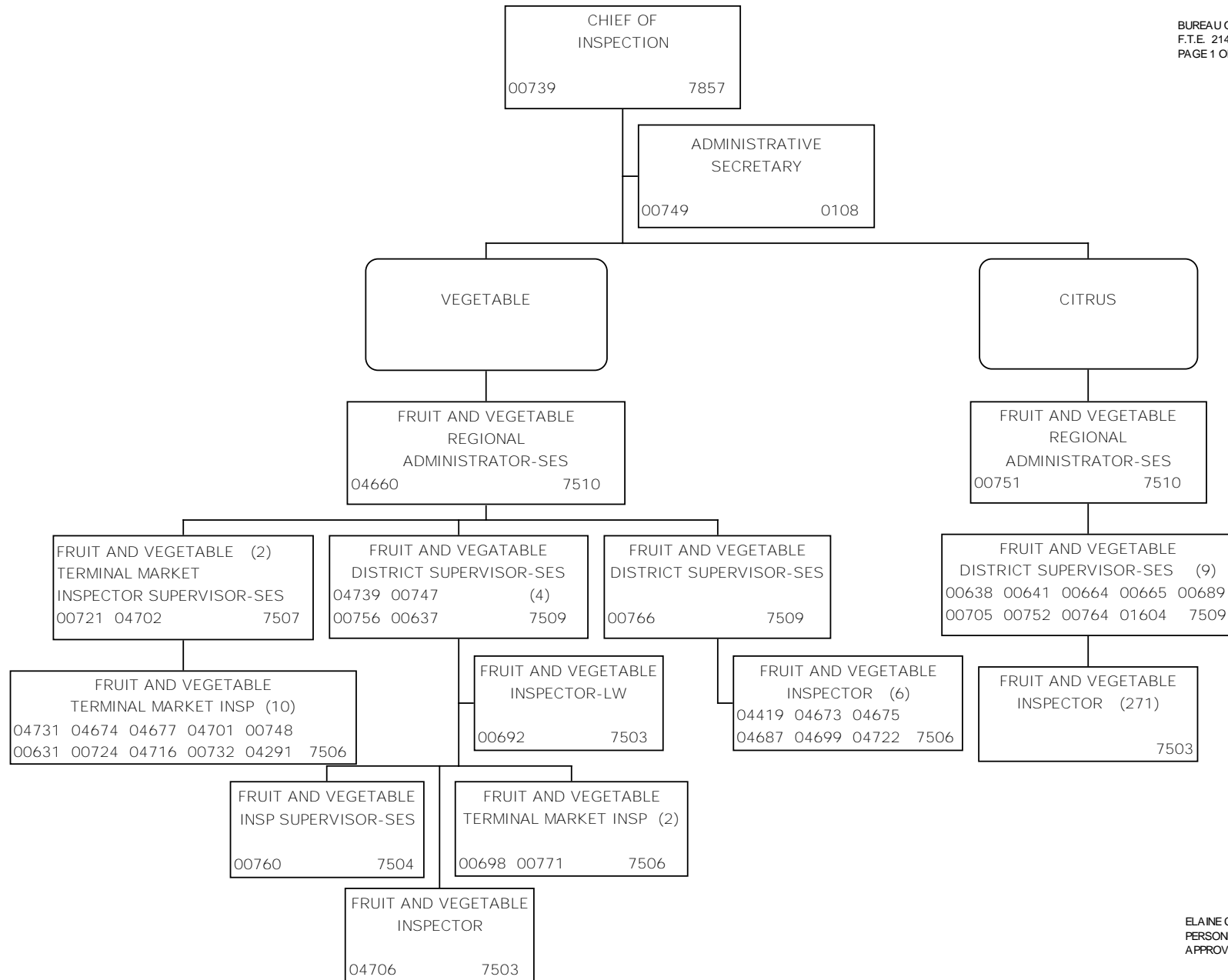


ADMINISTRATIVE  
CITRUS BOND AND LICENSE SECTION  
PAGE 2 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 08/13/2004

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF FRUIT AND VEGETABLES

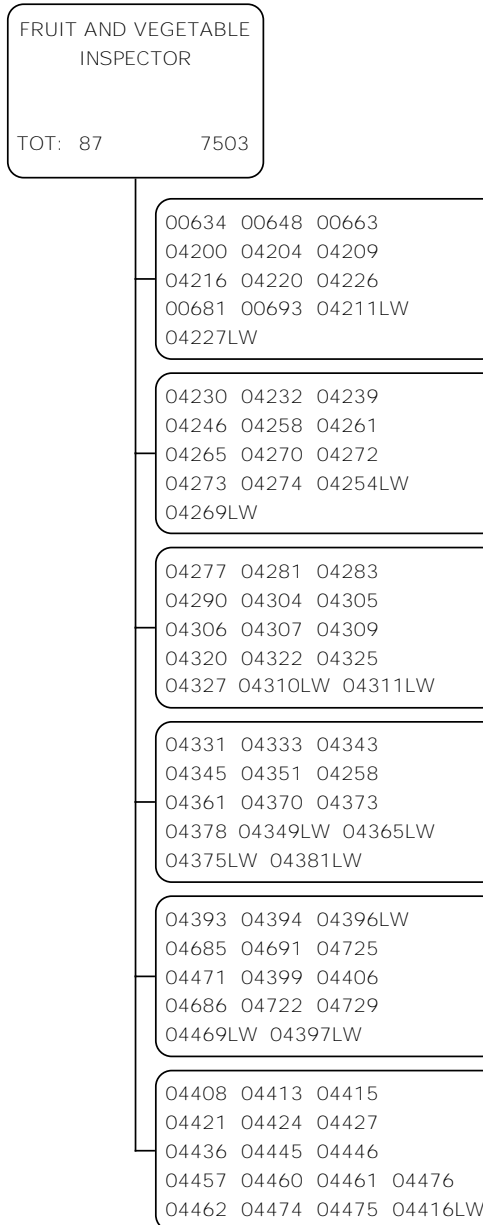
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F.T.E. 214  
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ELAINE COOPER, CHIEF OF PERSONNEL MANAGEMENT  
APPROVED DATE: 08/25/2005

**FLORIDA DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**

BUREAU OF INSPECTION  
PAGE 2 OF 4



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 08/25/2005

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**

FRUIT AND VEGETABLE  
INSPECTOR

TOT: 20            7503

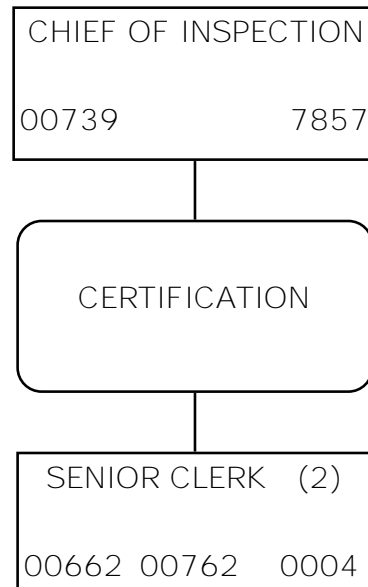
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BUREAU OF INSPECTION  
PAGE 3 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 08/25/2005

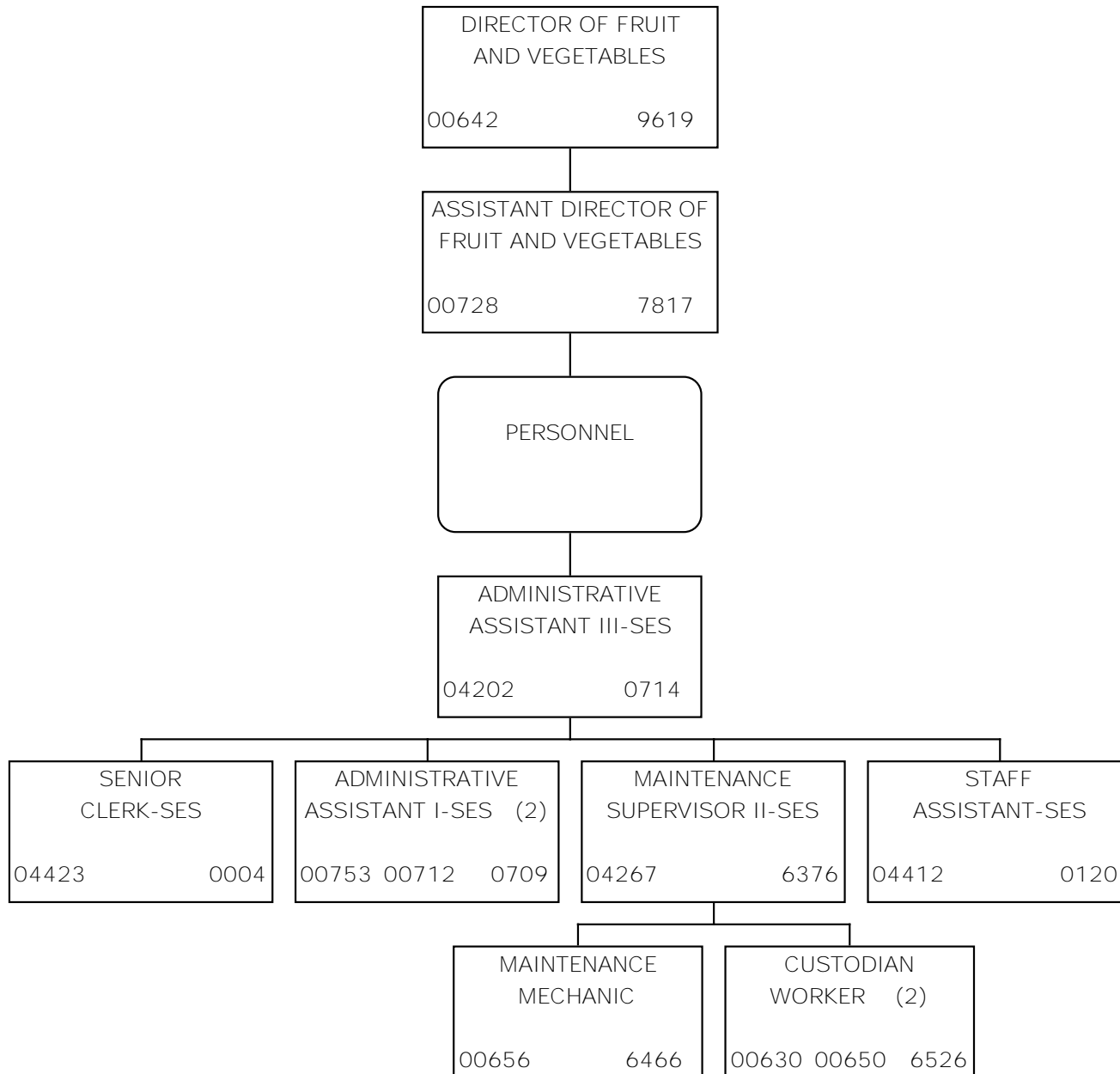
**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**



BUREAU OF INSPECTION  
PAGE 4 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 08/25/2006

**FLORIDA DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**

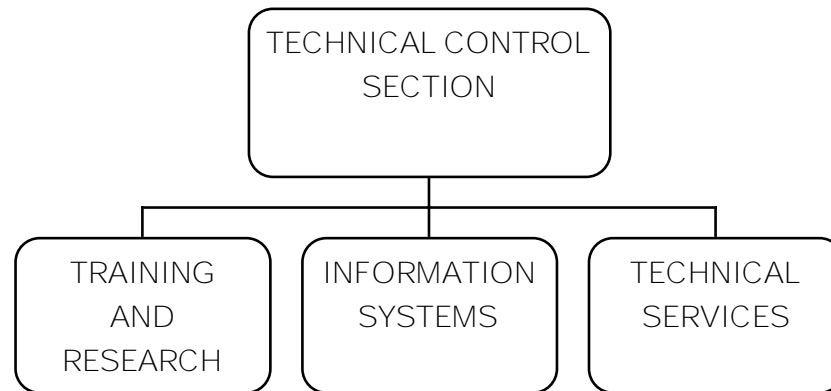


ADMINISTRATIVE  
SUPPORT SERVICES  
PAGE 3 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 11/10/2001



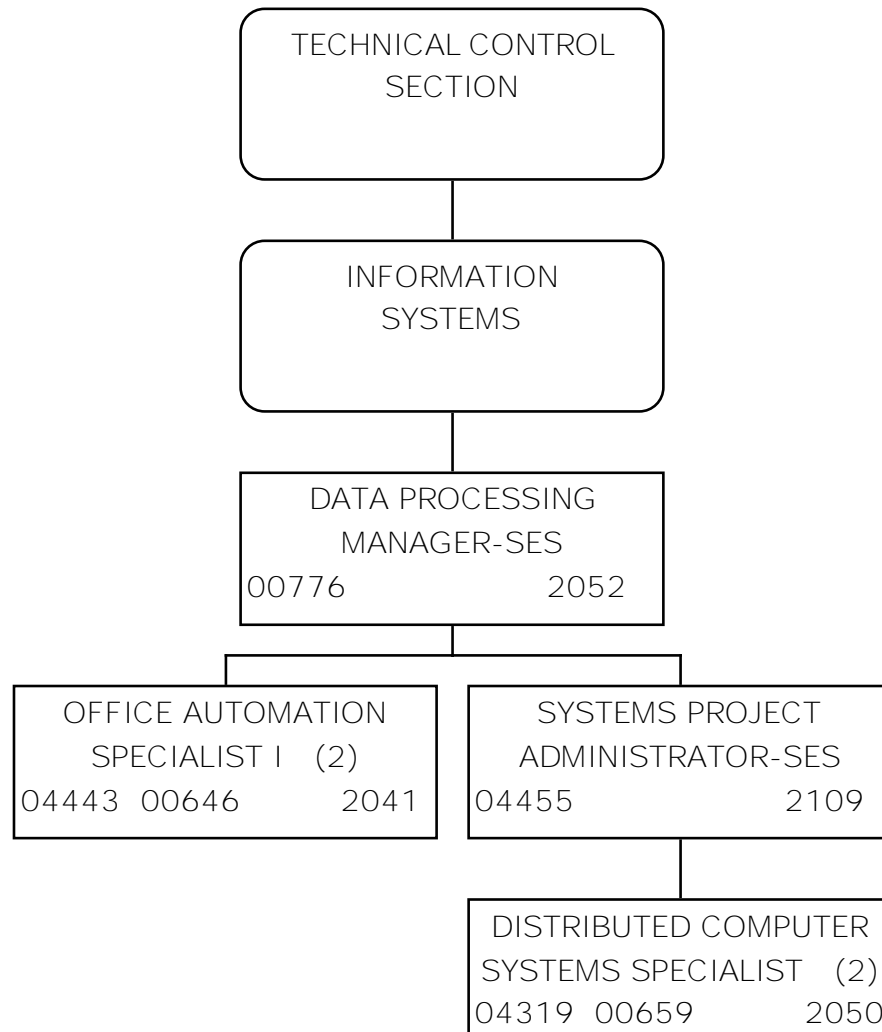
**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**



TECHNICAL CONTROL SECTION  
PAGE 1 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 01/13/2003

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**



TECHNICAL CONTROL SECTION  
PAGE 2 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 01/13/2003

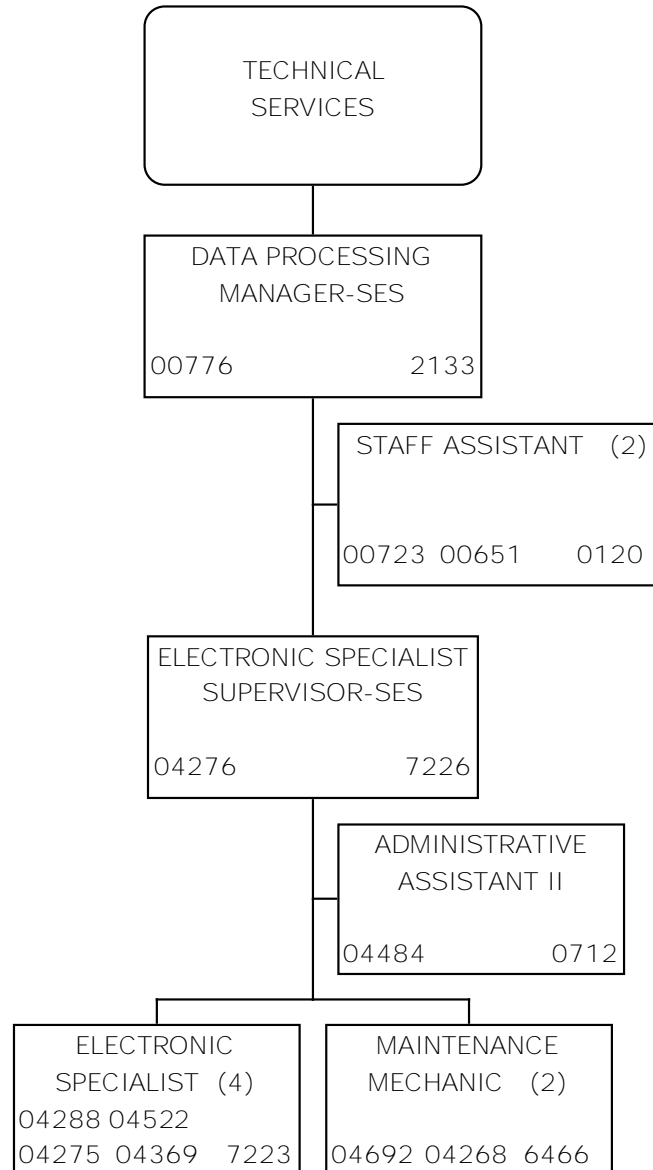
**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**



TECHNICAL CONTROL SECTION  
PAGE 3 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 01/03/2003

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF FRUIT AND VEGETABLES**

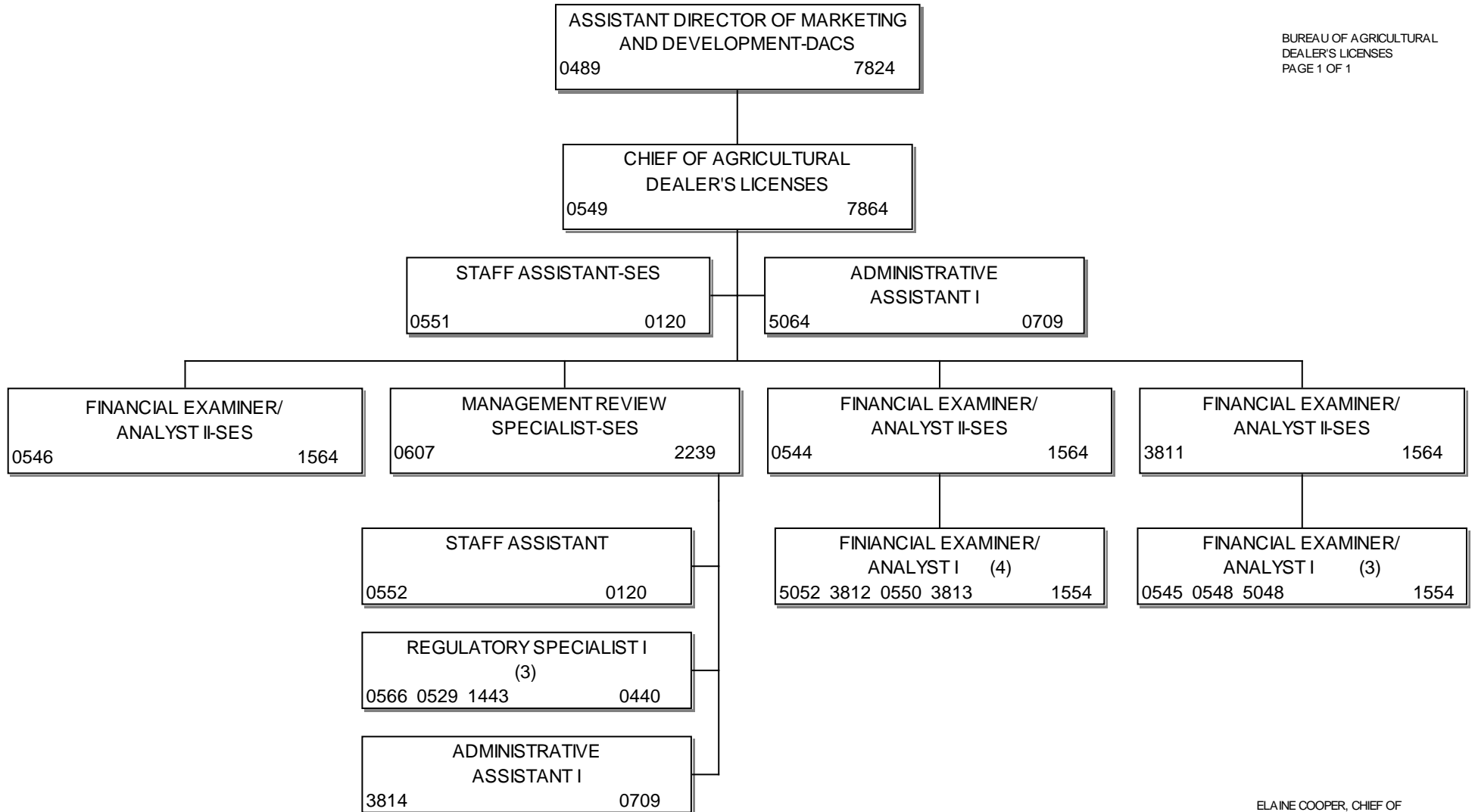


TECHNICAL CONTROL SECTION  
PAGE 4 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 10/27/2006

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF MARKETING AND DEVELOPMENT**

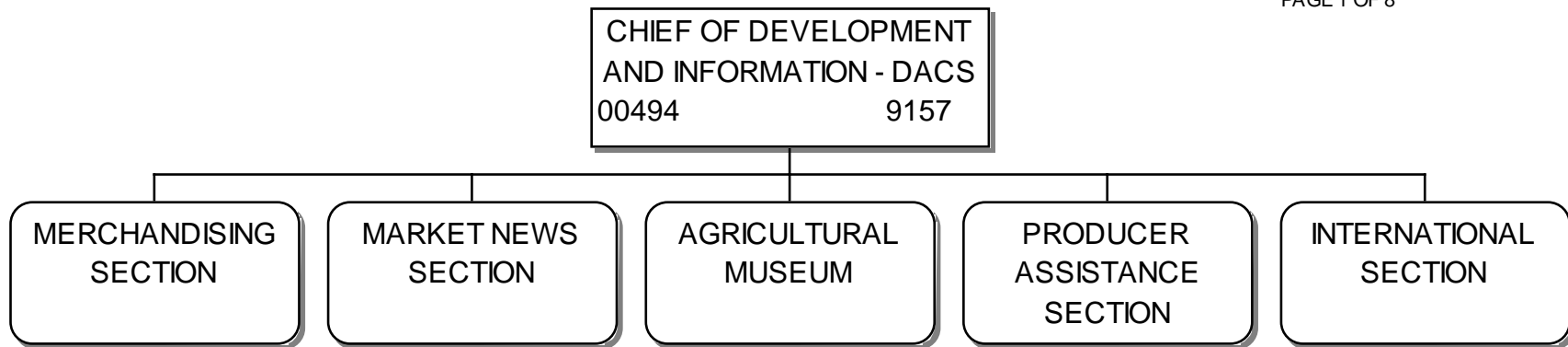
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PAGE 1 OF 1



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
DATE APPROVED: 01/26/2007

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF MARKETING AND DEVELOPMENT**

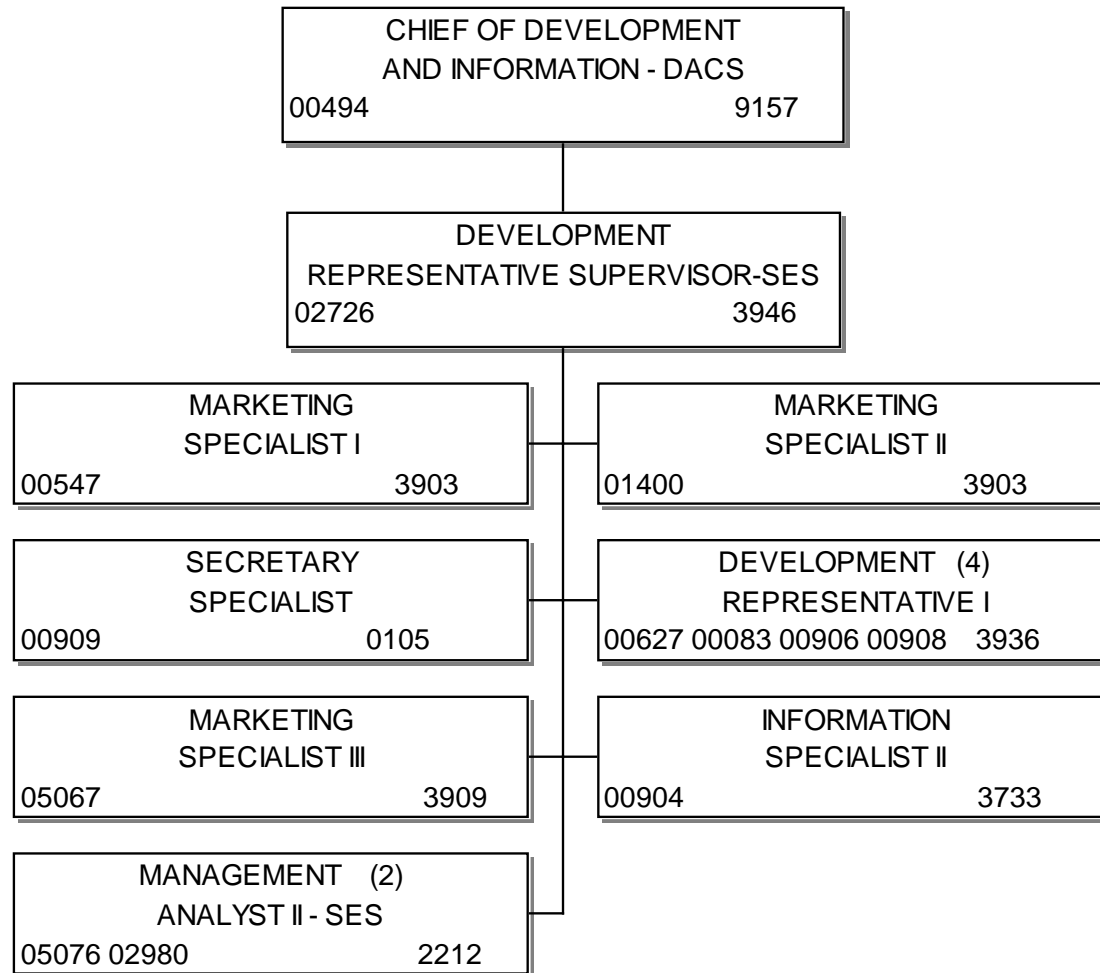
BUREAU OF DEVELOPMENT AND INFORMATION  
F.T.E. 34  
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ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 01/02/2004

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
DIVISION OF MARKETING AND DEVELOPMENT**

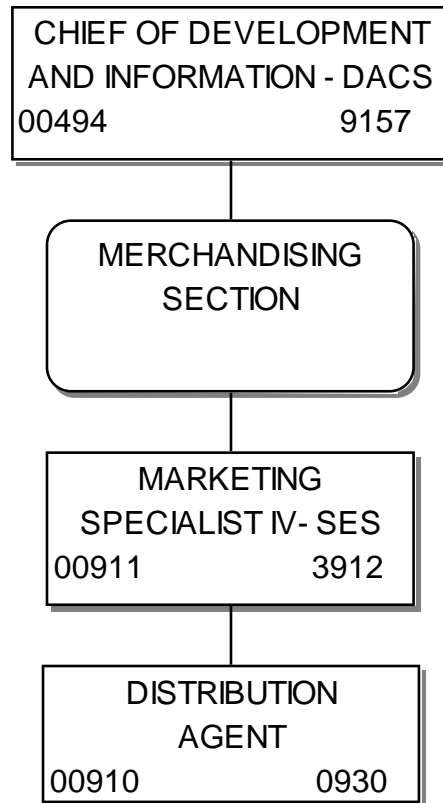
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APPROVED DATE: 11/02/2007

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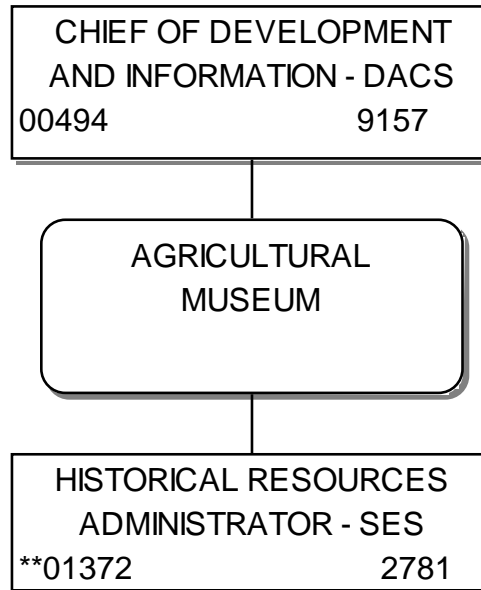


ELAINE COOPER, CHIEF OF  
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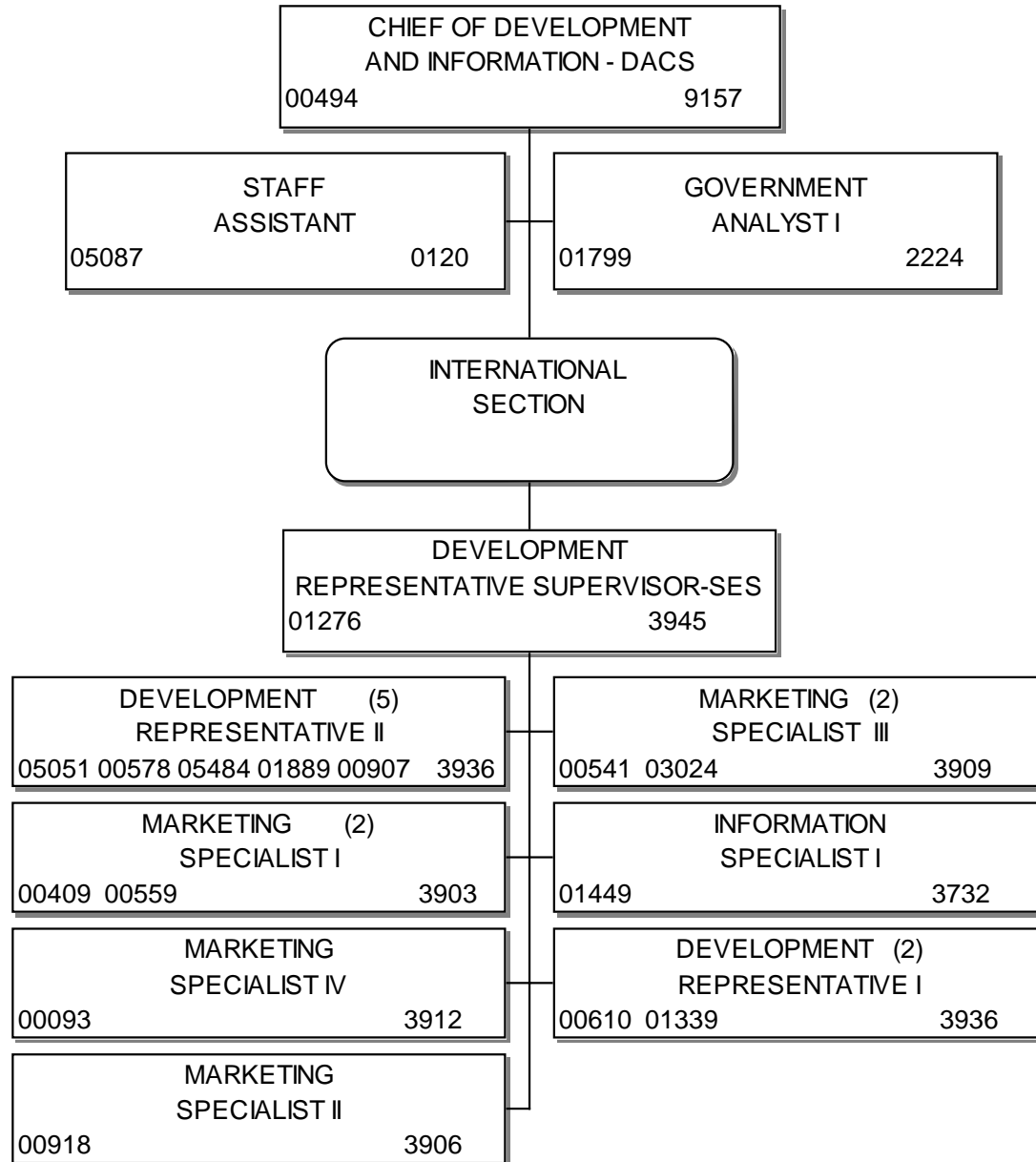


\*\*Position funded by Division of Marketing, but reports to #42000010

ELAINE COOPER, CHIEF OF  
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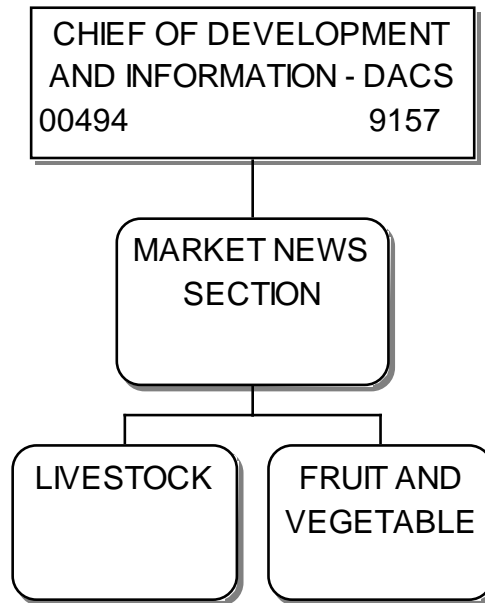
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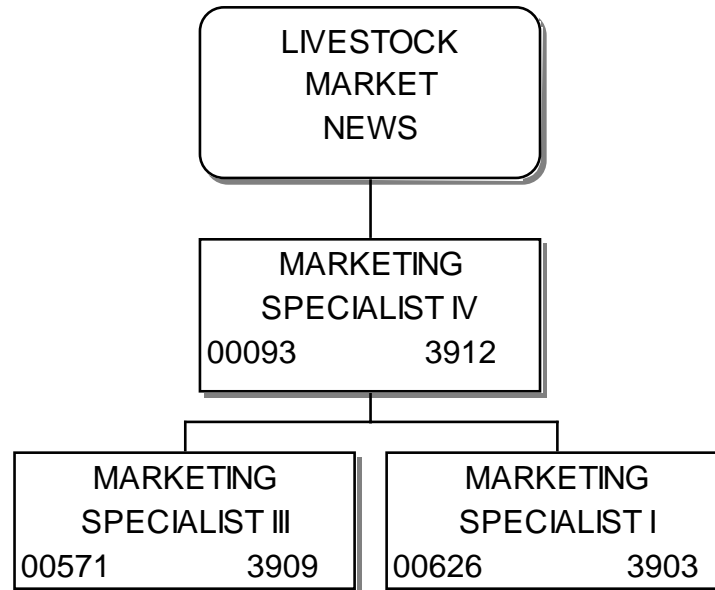
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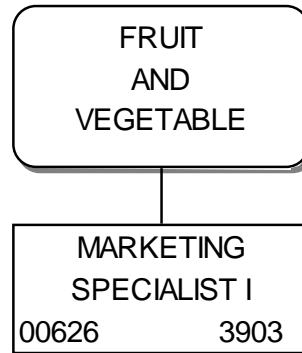
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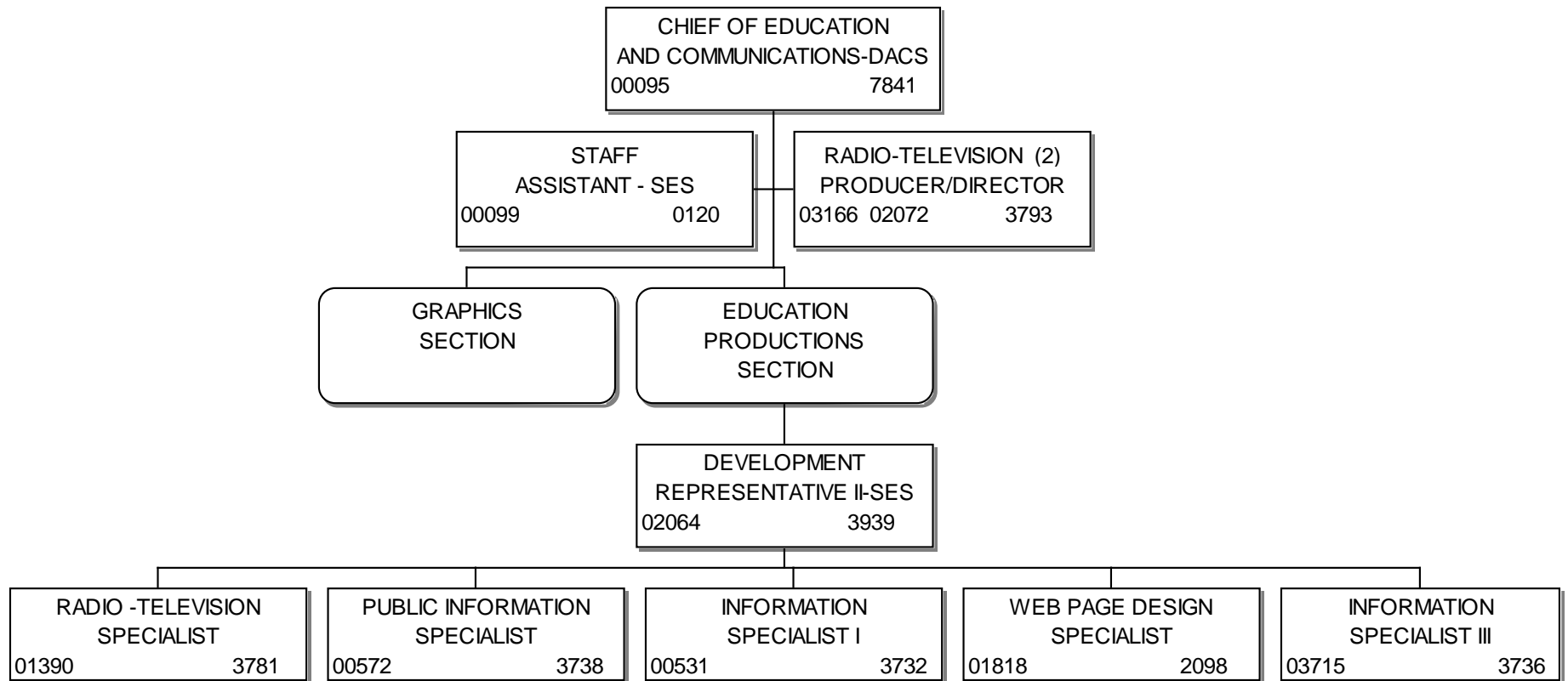
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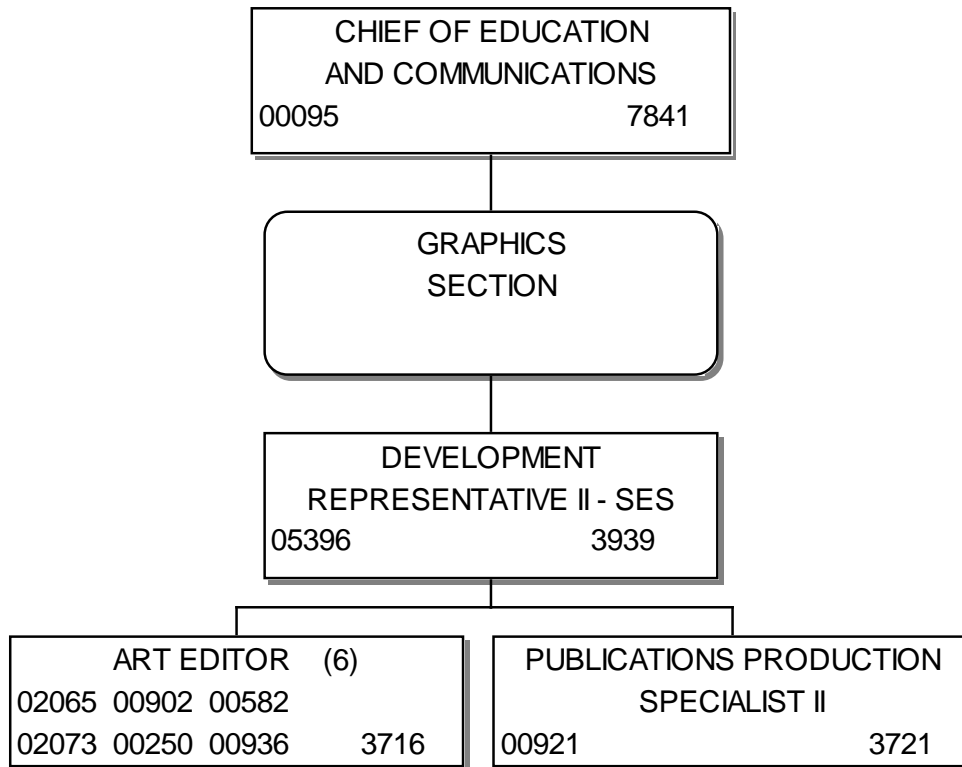
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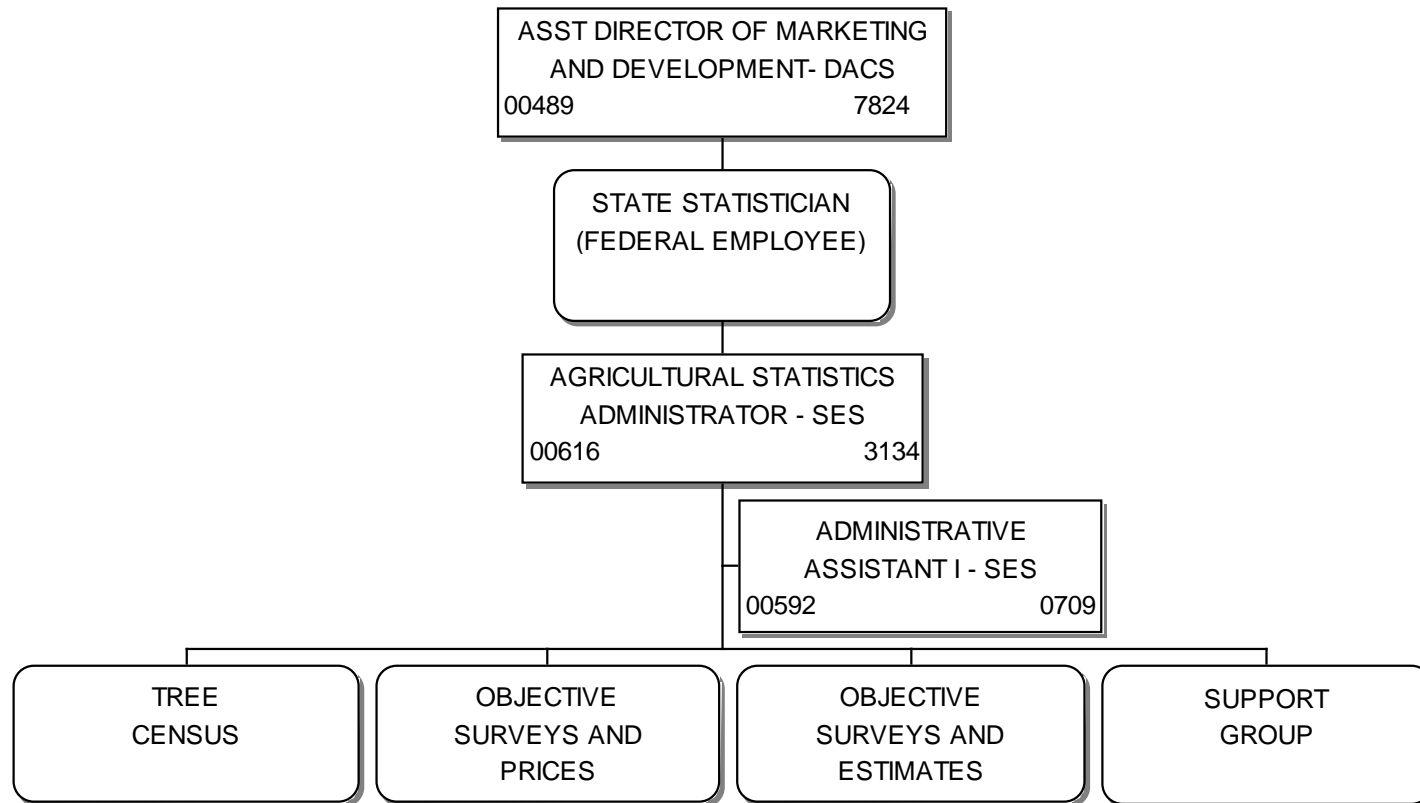
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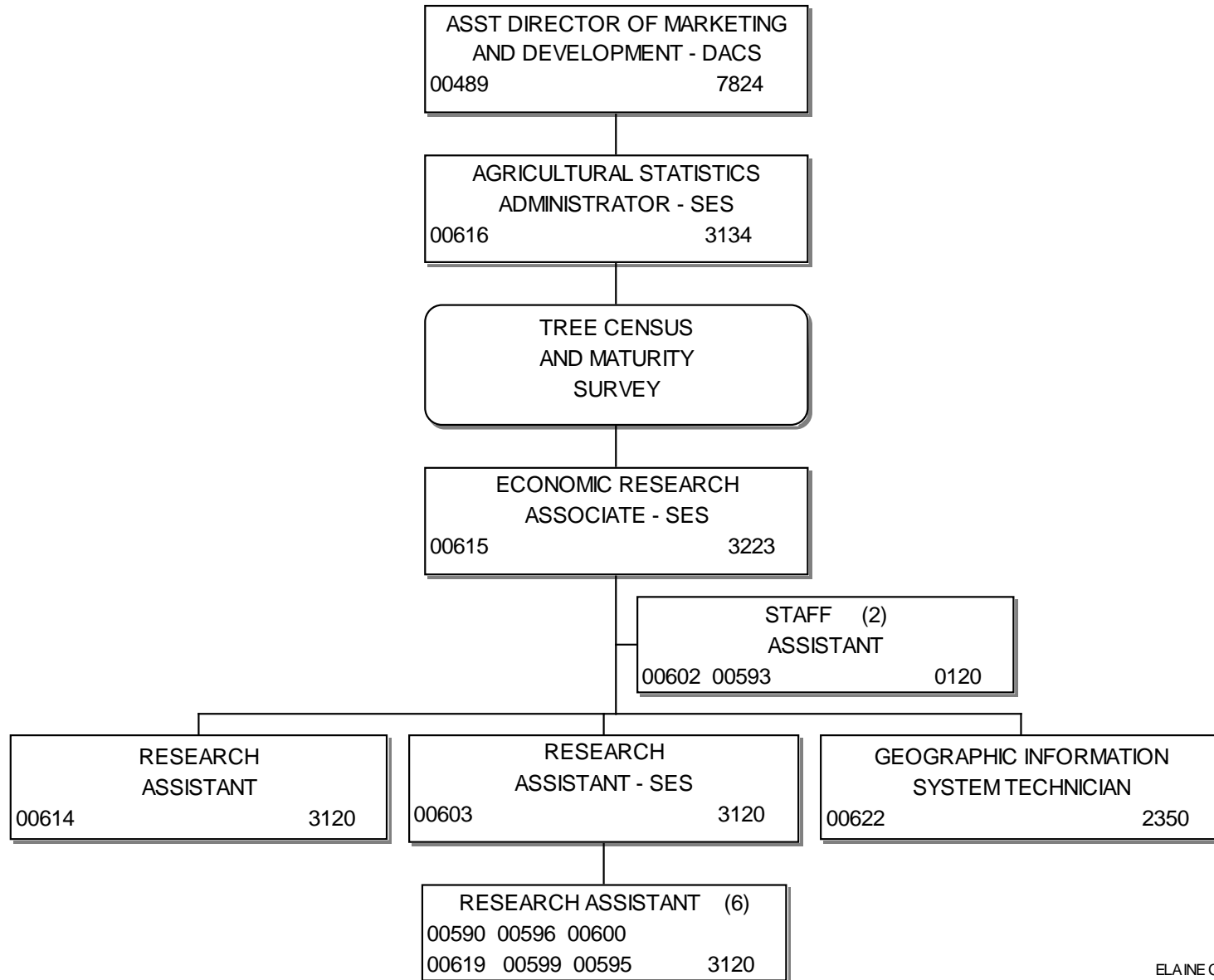


ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 09/10/2004



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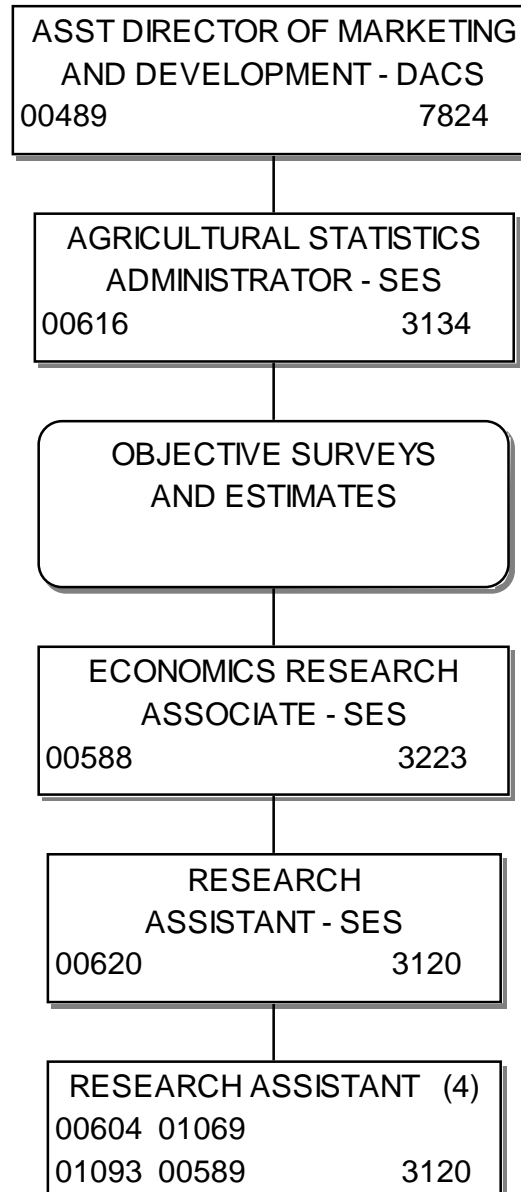
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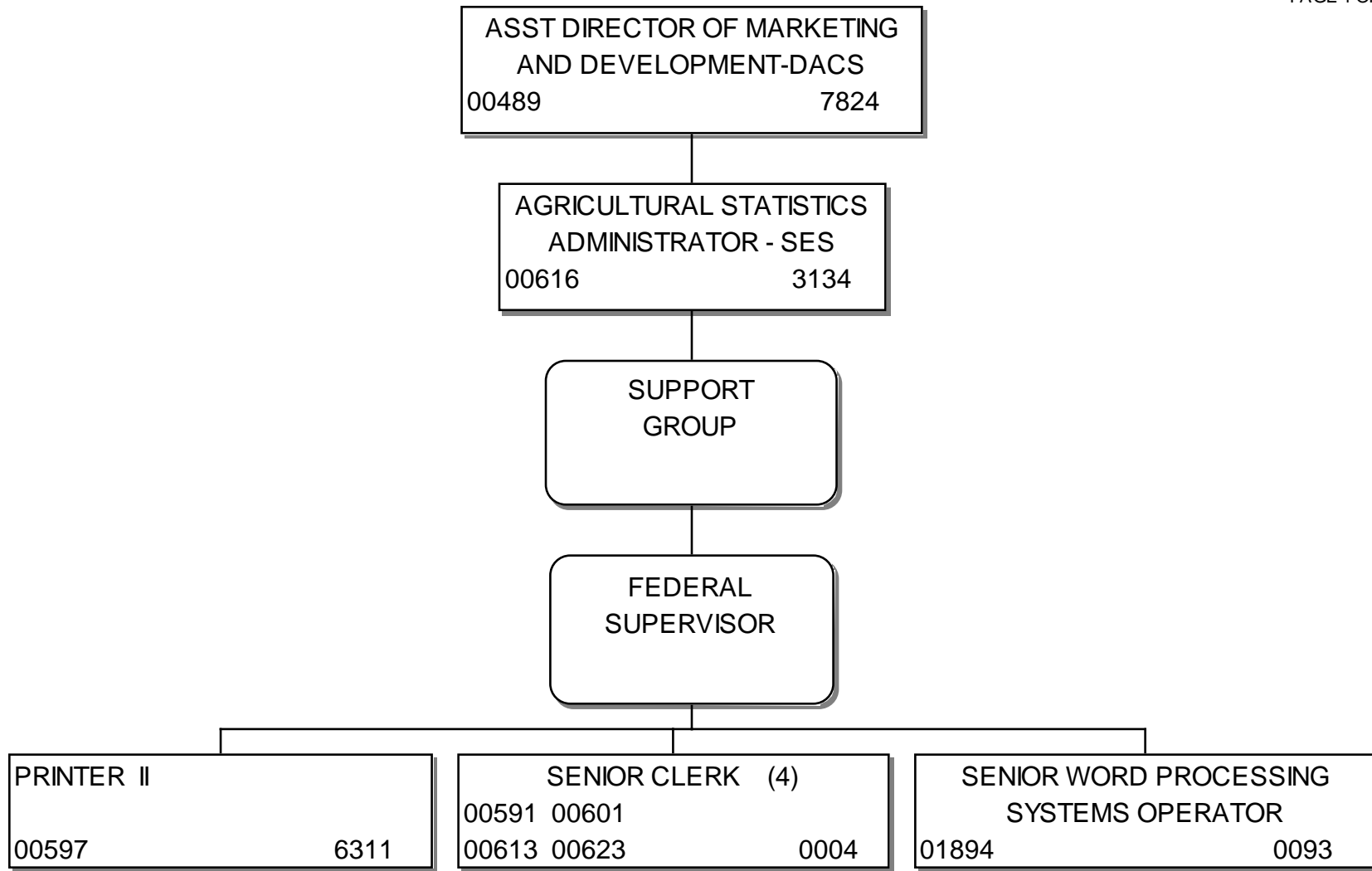
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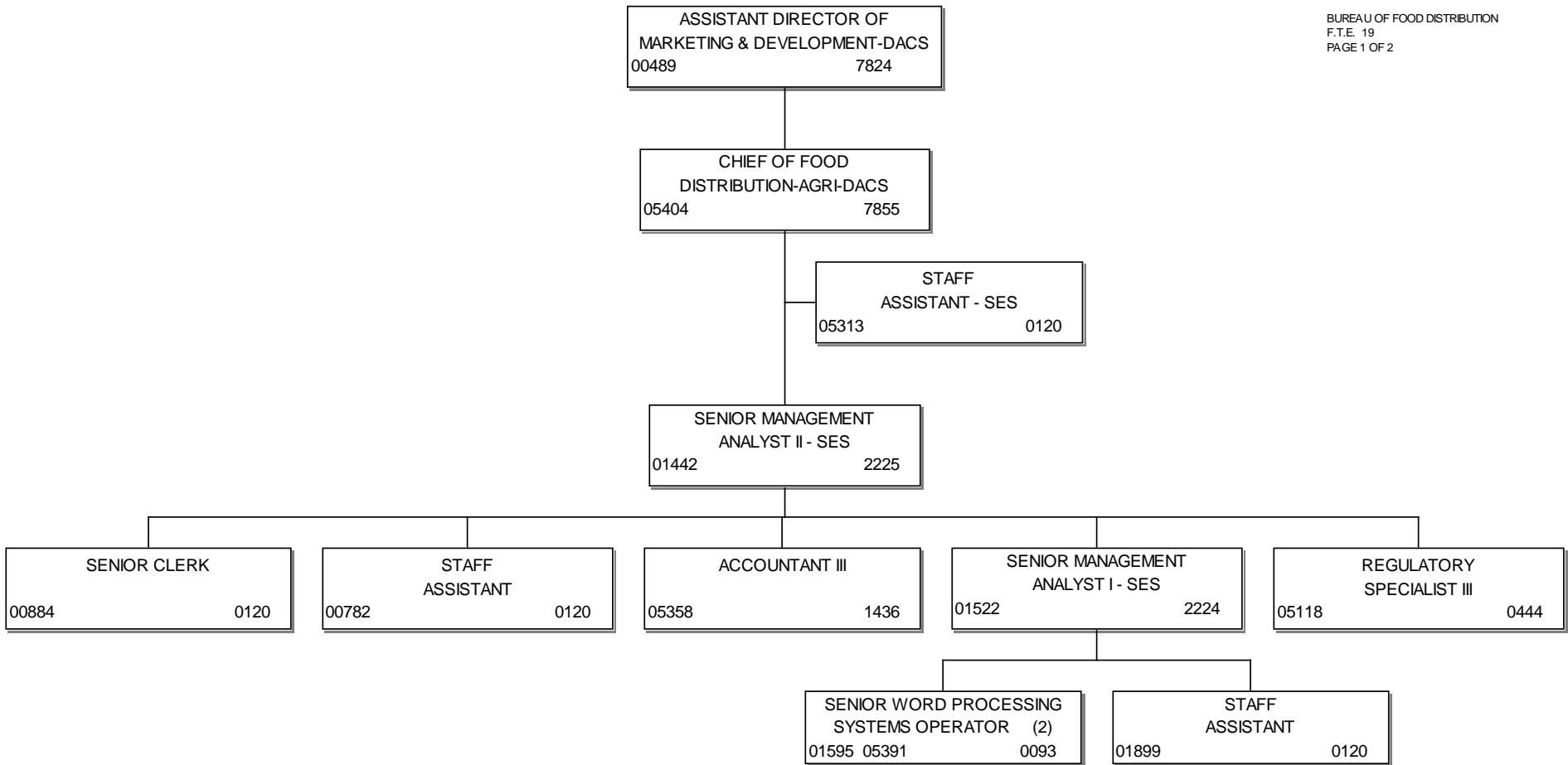
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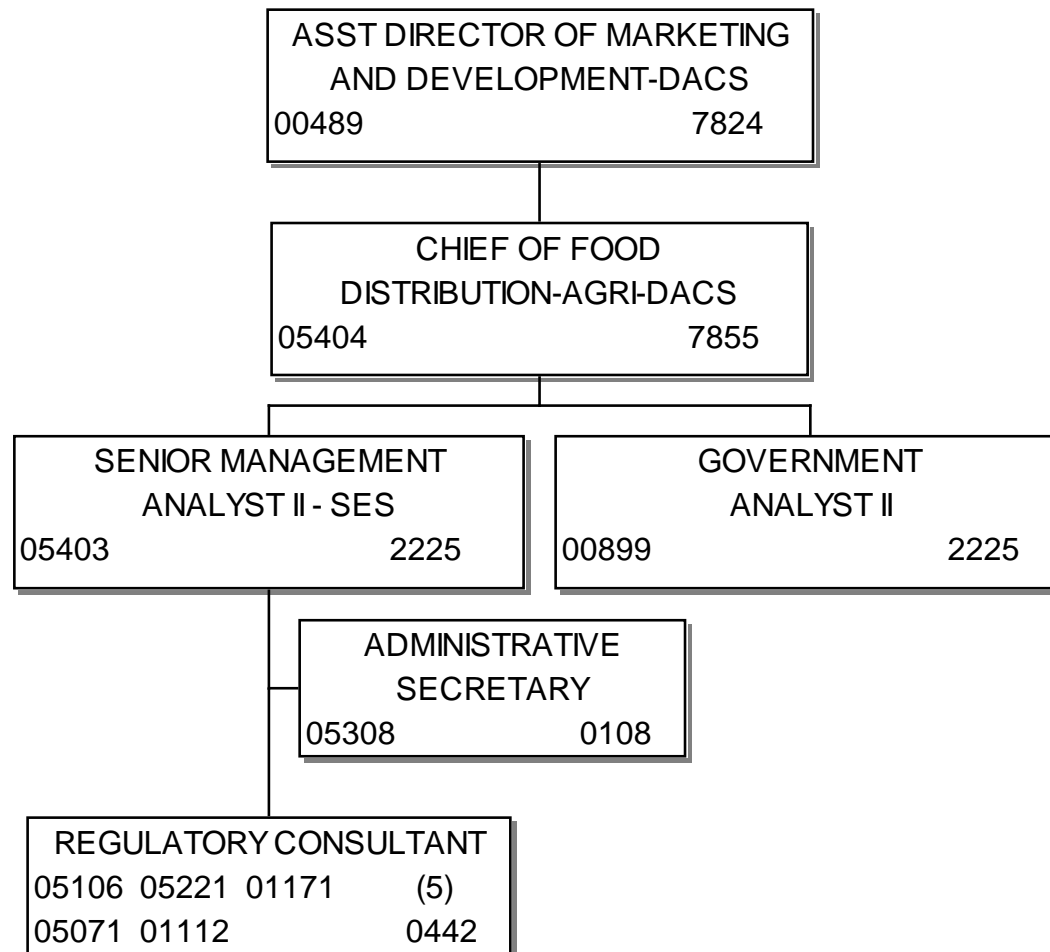


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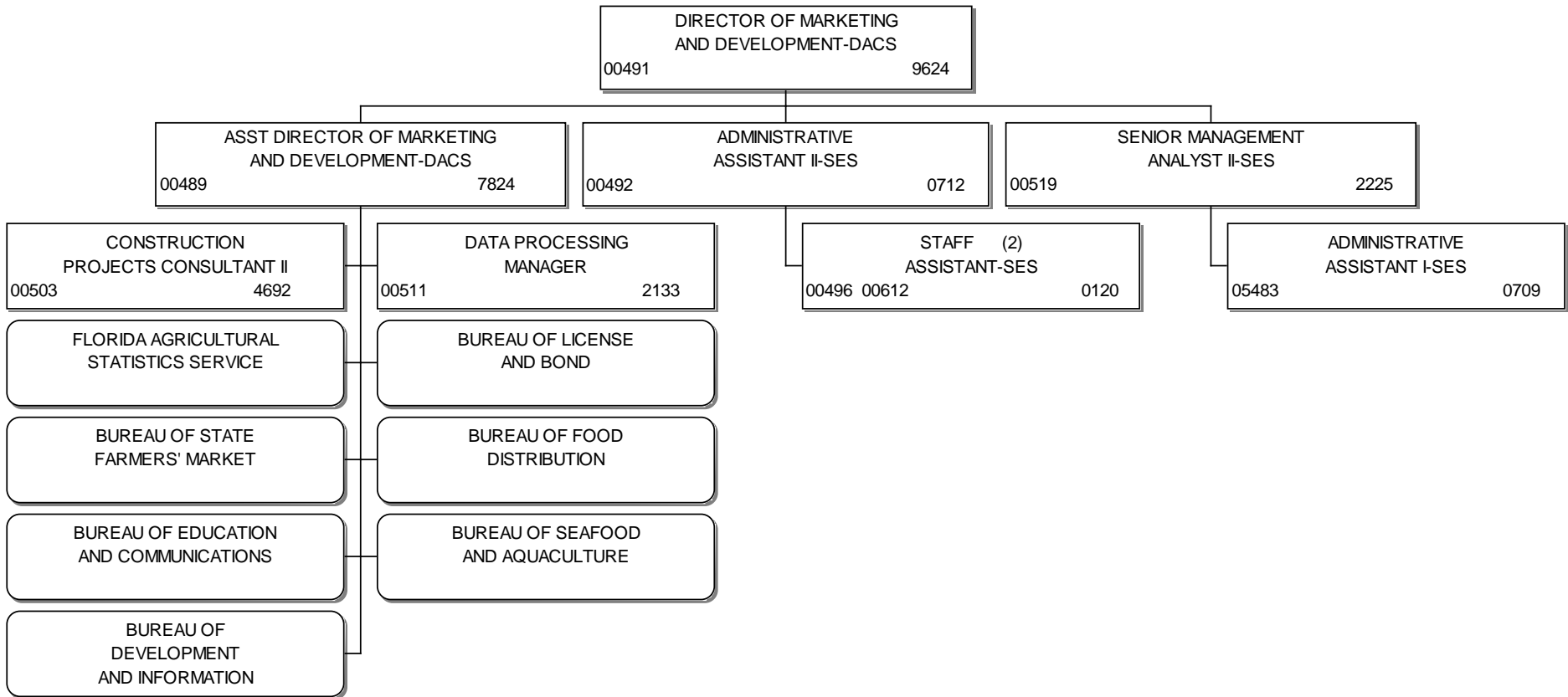
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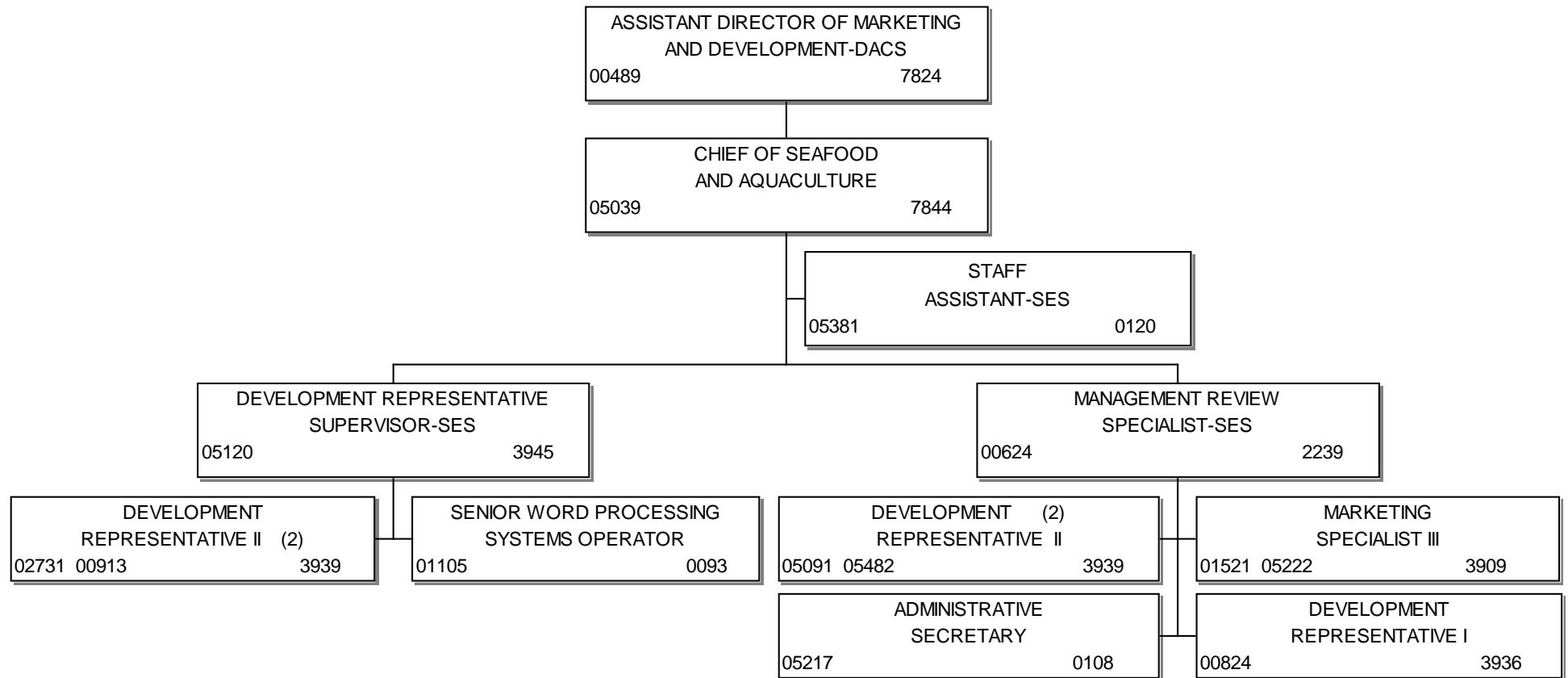
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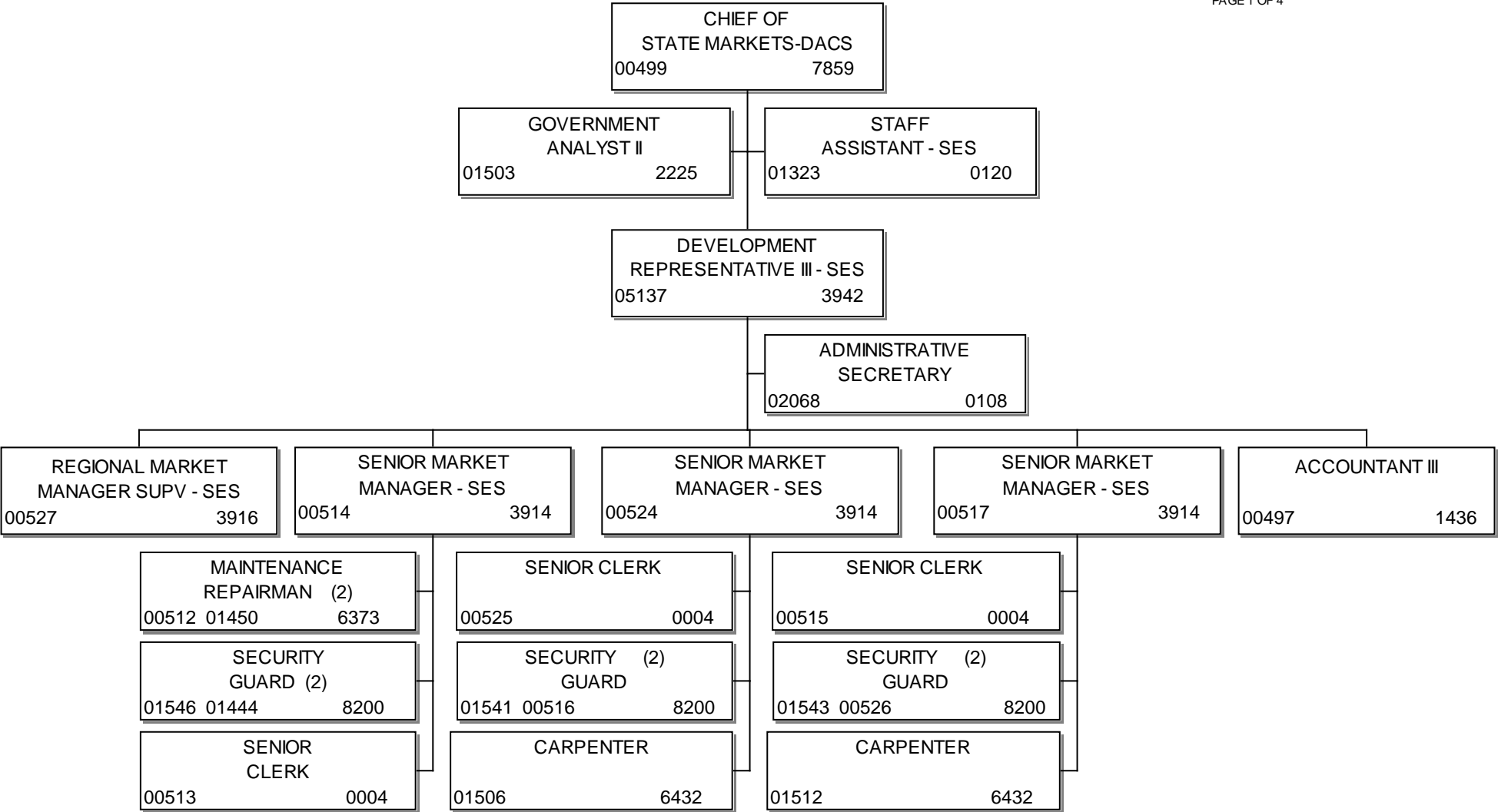


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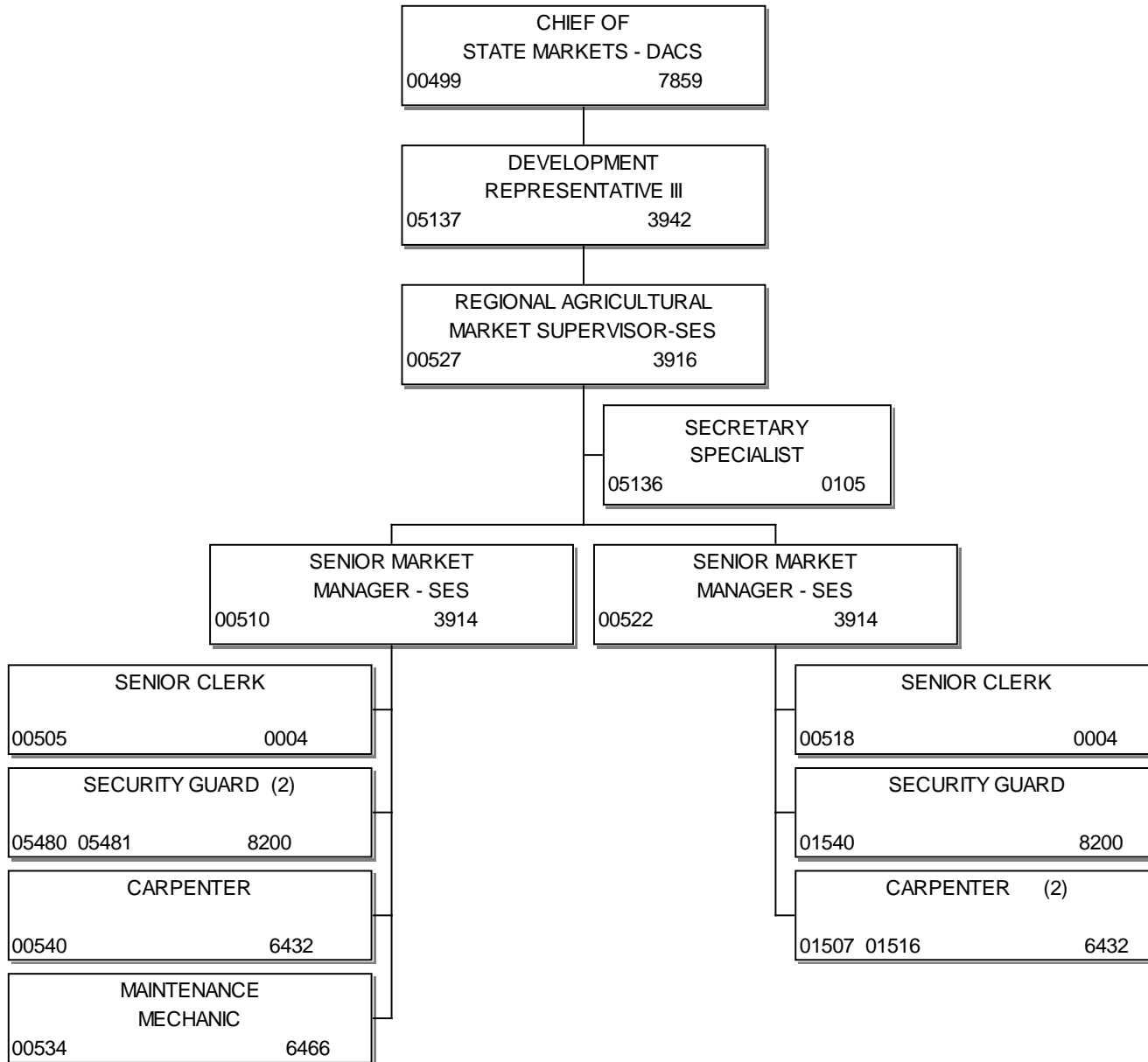


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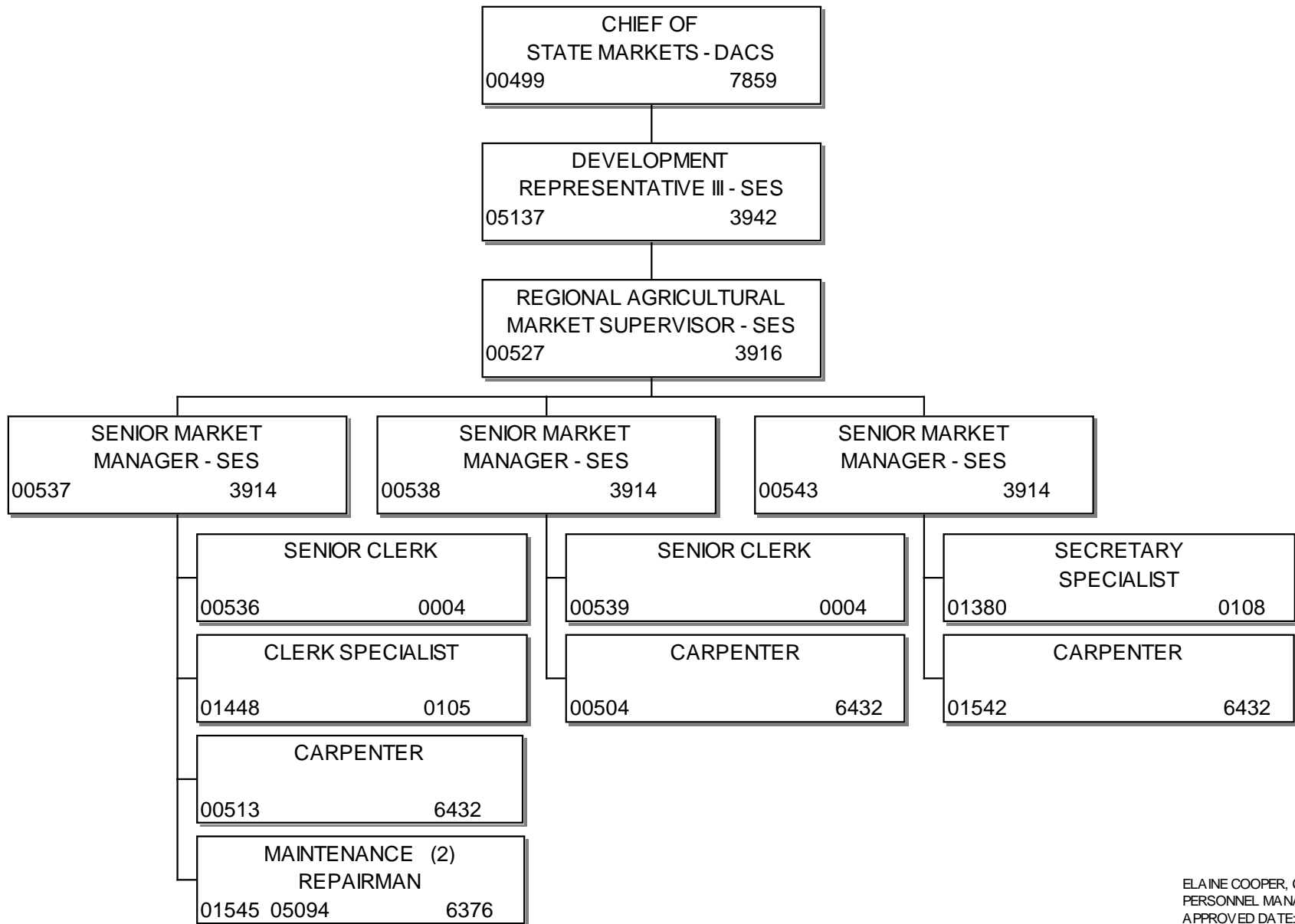


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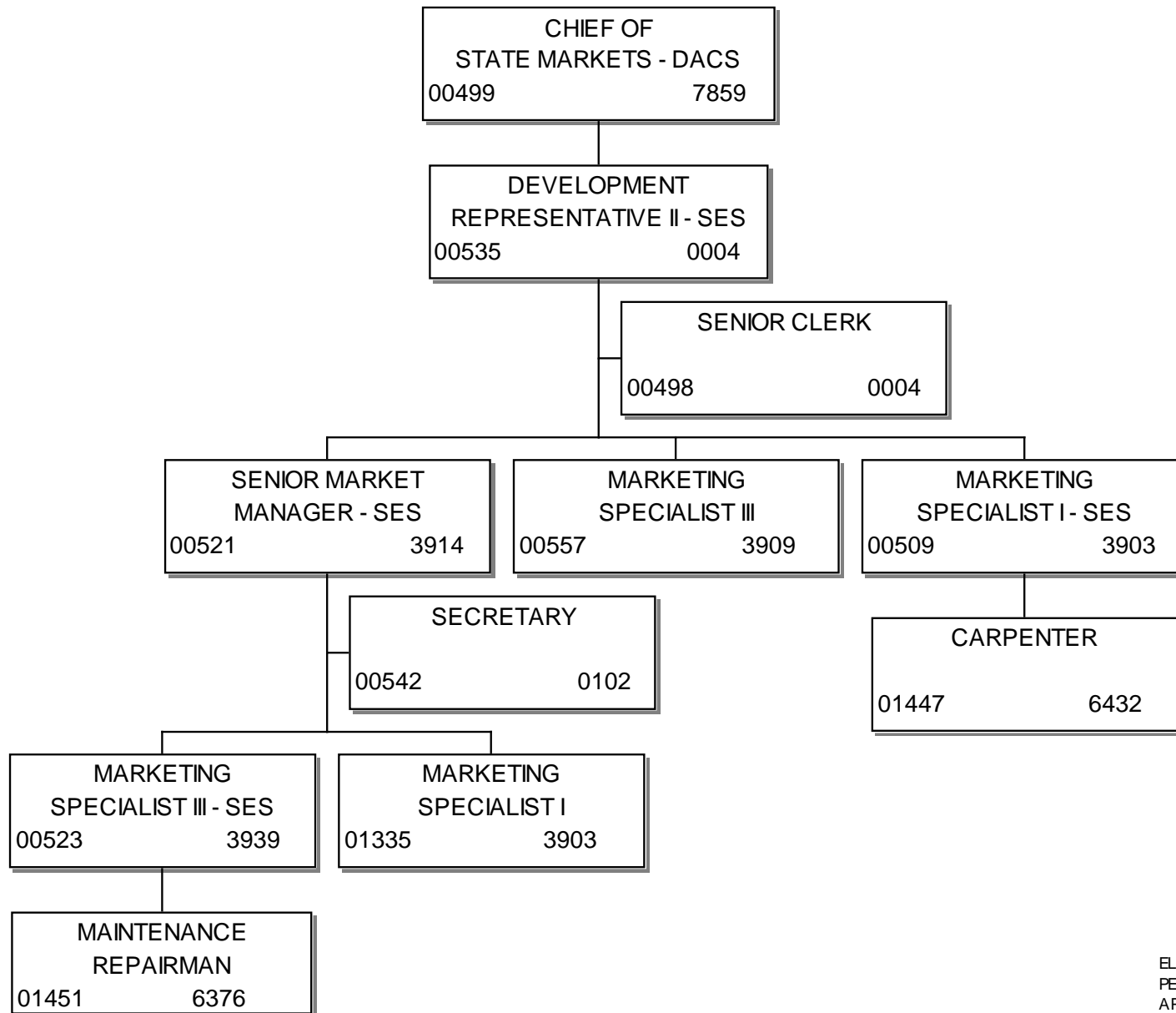
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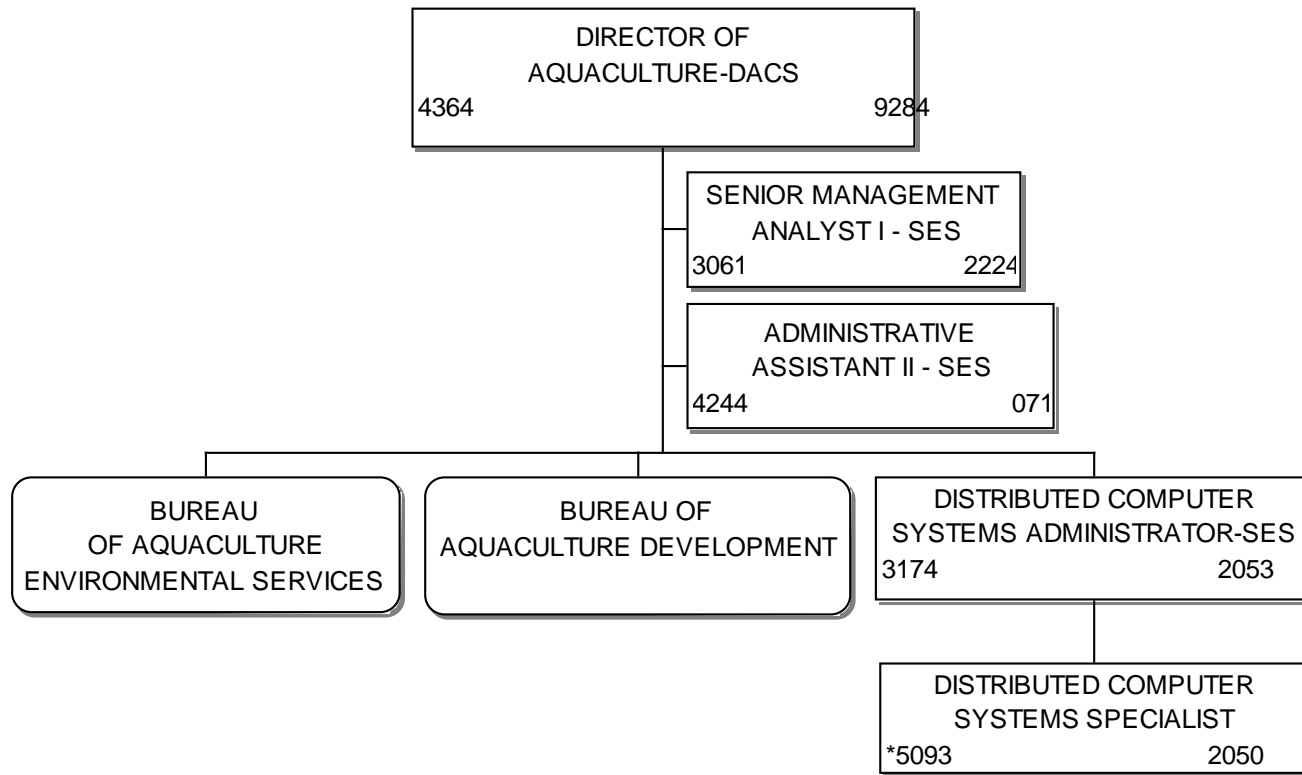
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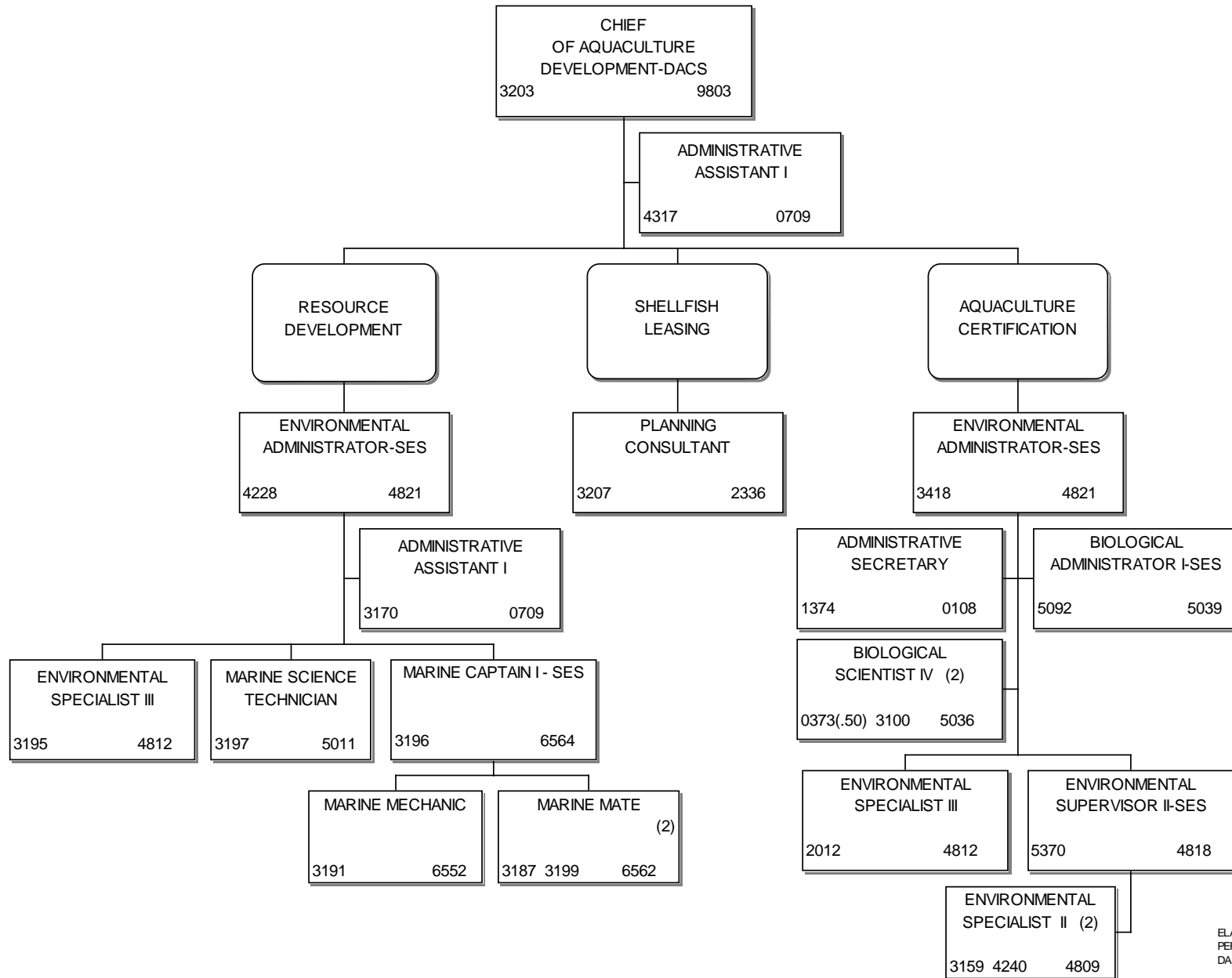


\*UTILIZED IN AGRICULTURAL WATER POLICY

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
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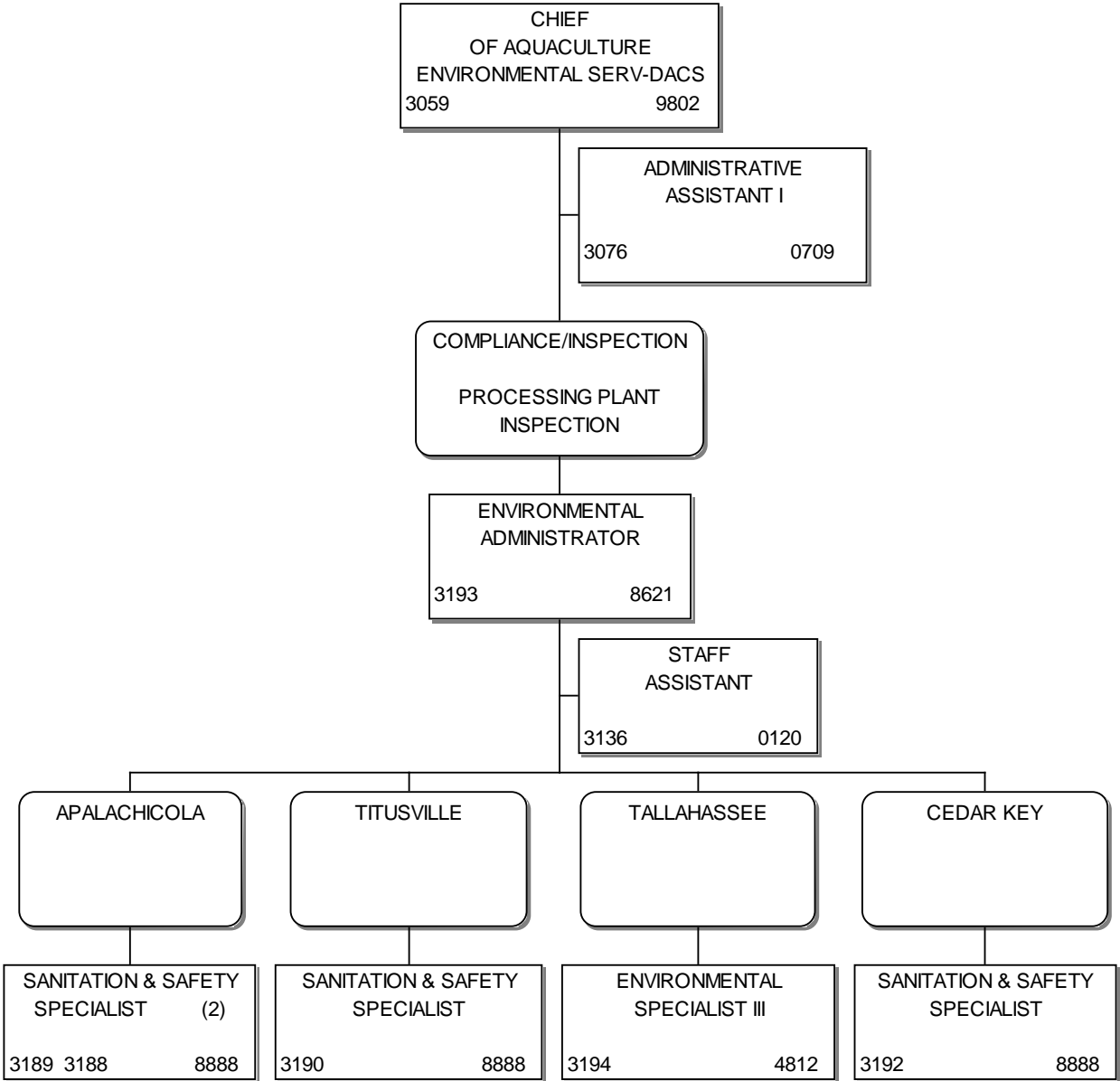
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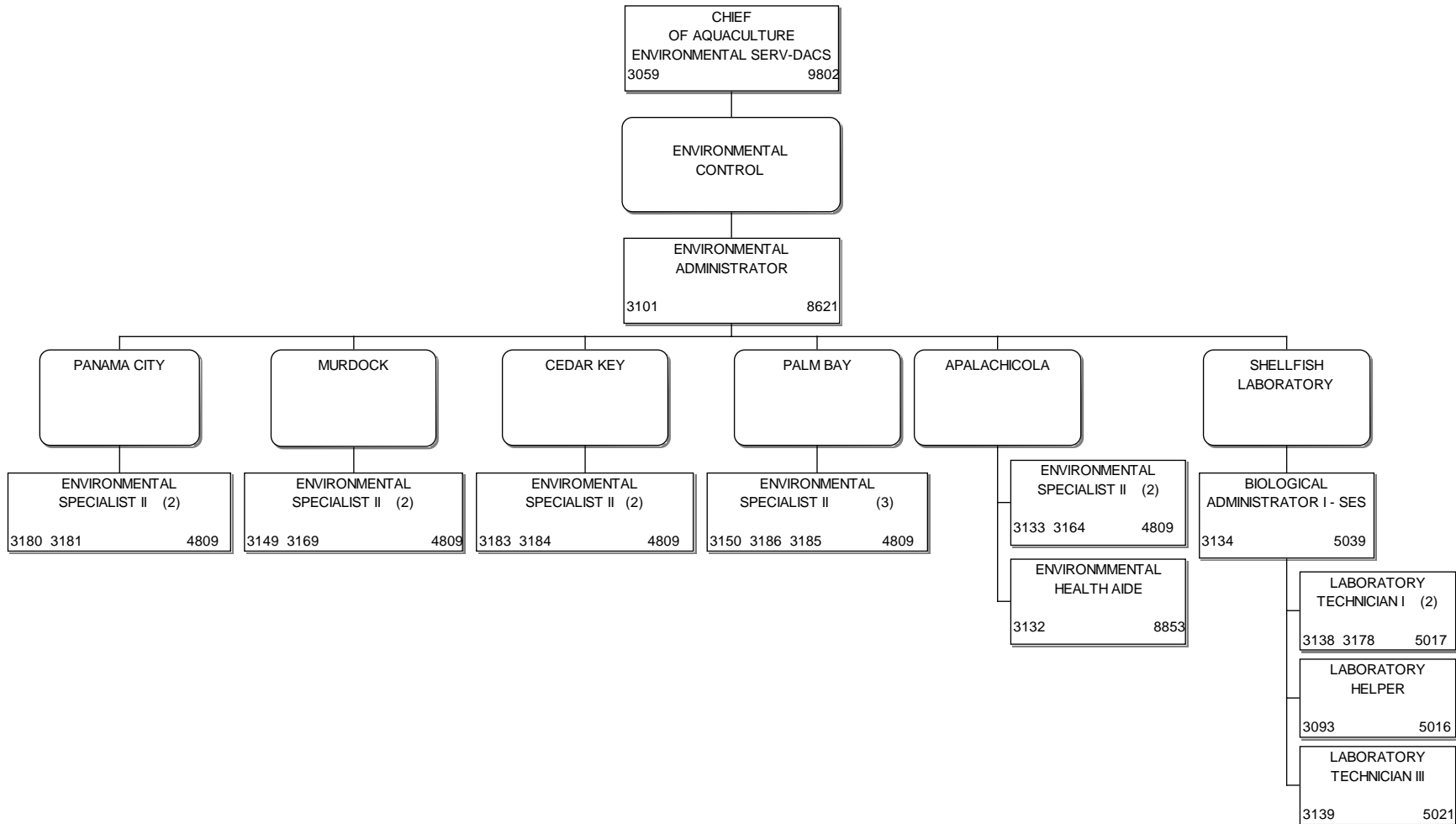
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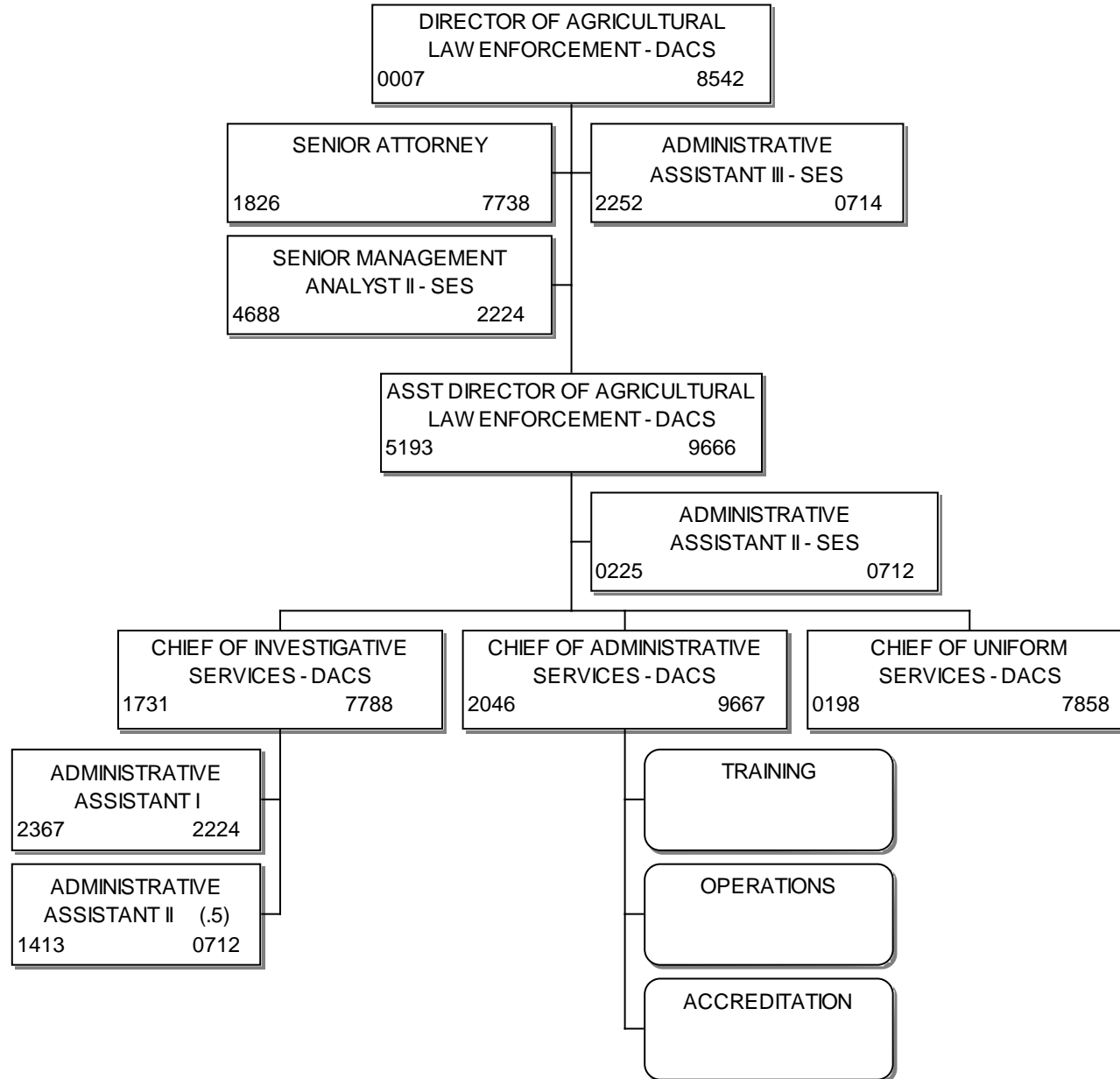
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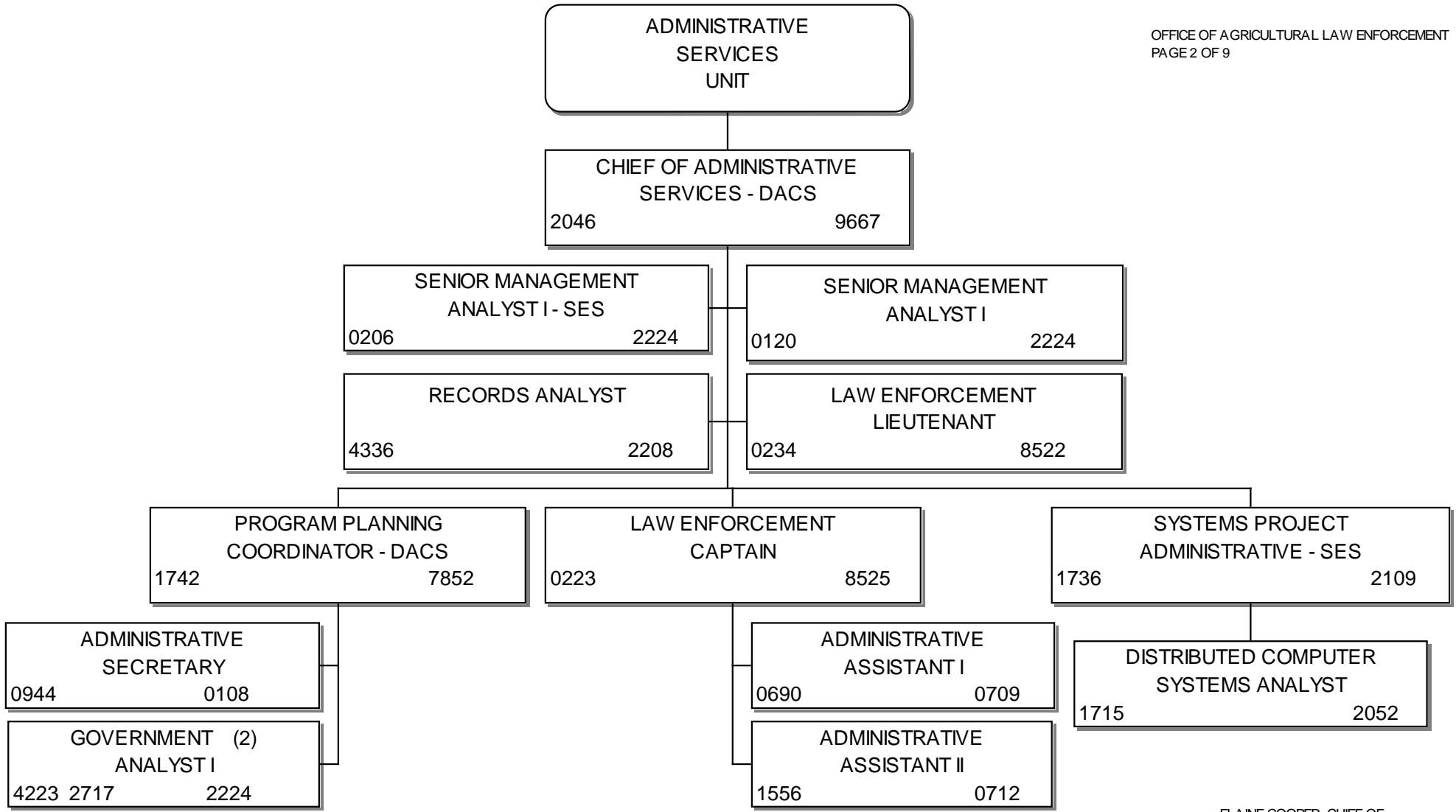


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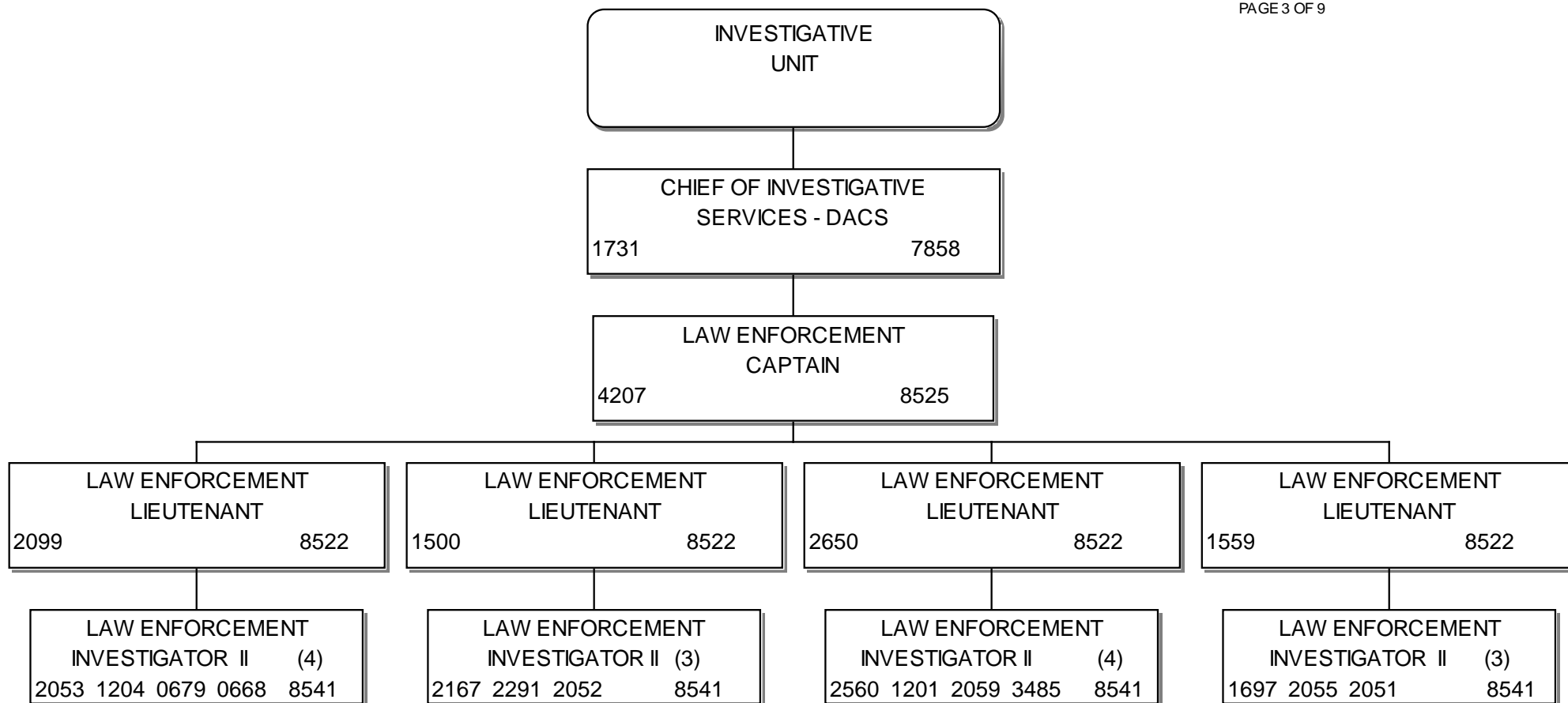
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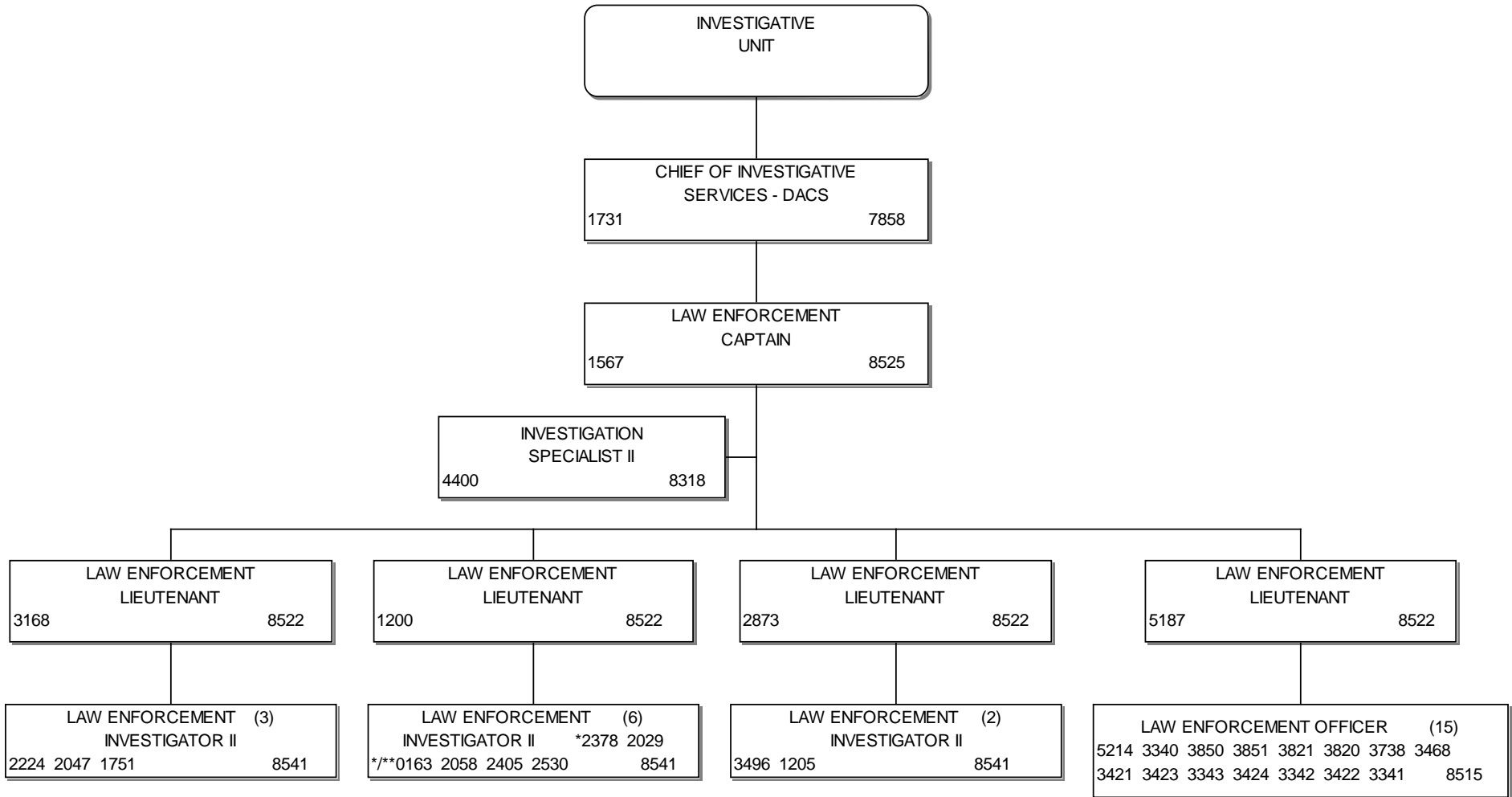
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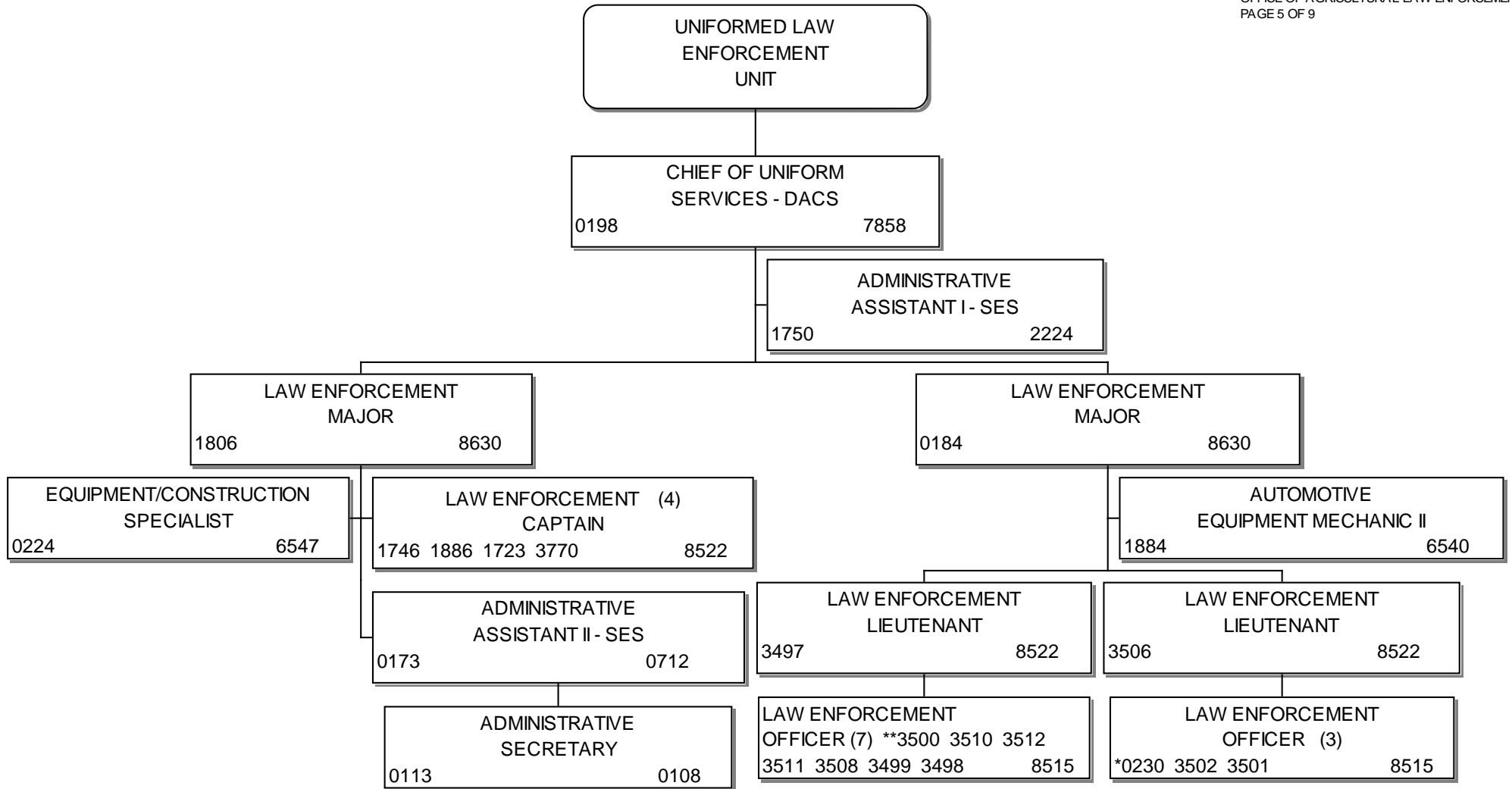
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\*/\*\*FUNDED FROM DIV. OF AGRICULTURAL ENVIRONMENTAL SERVICES AND CANINE  
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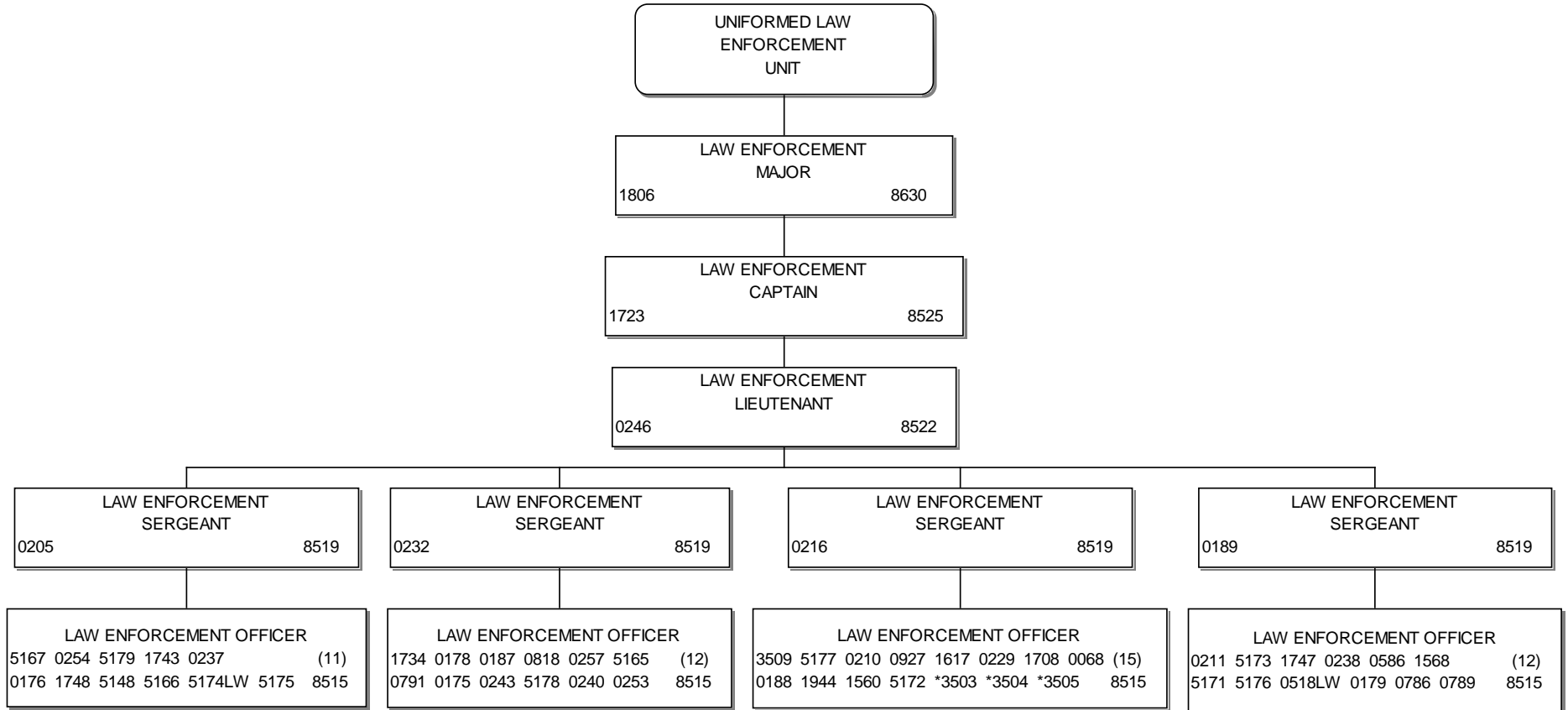
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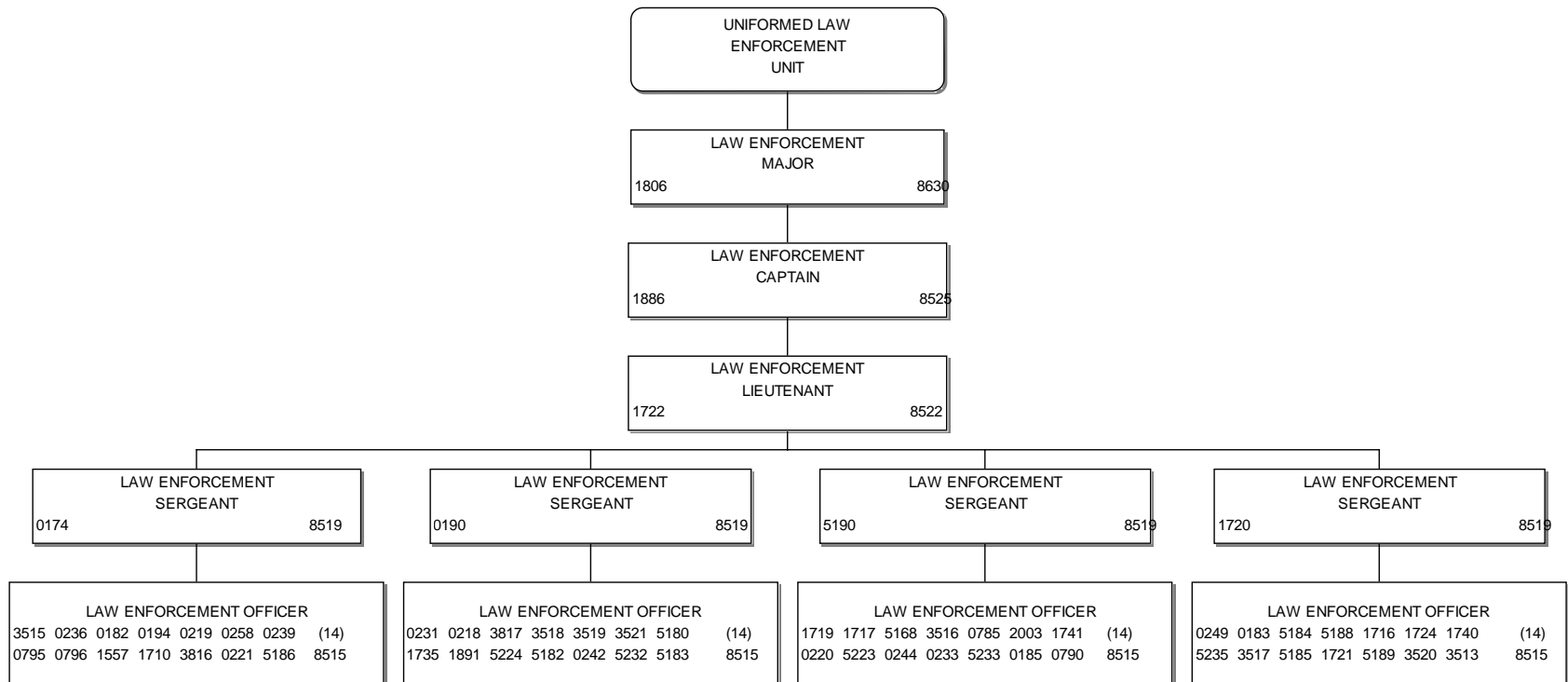
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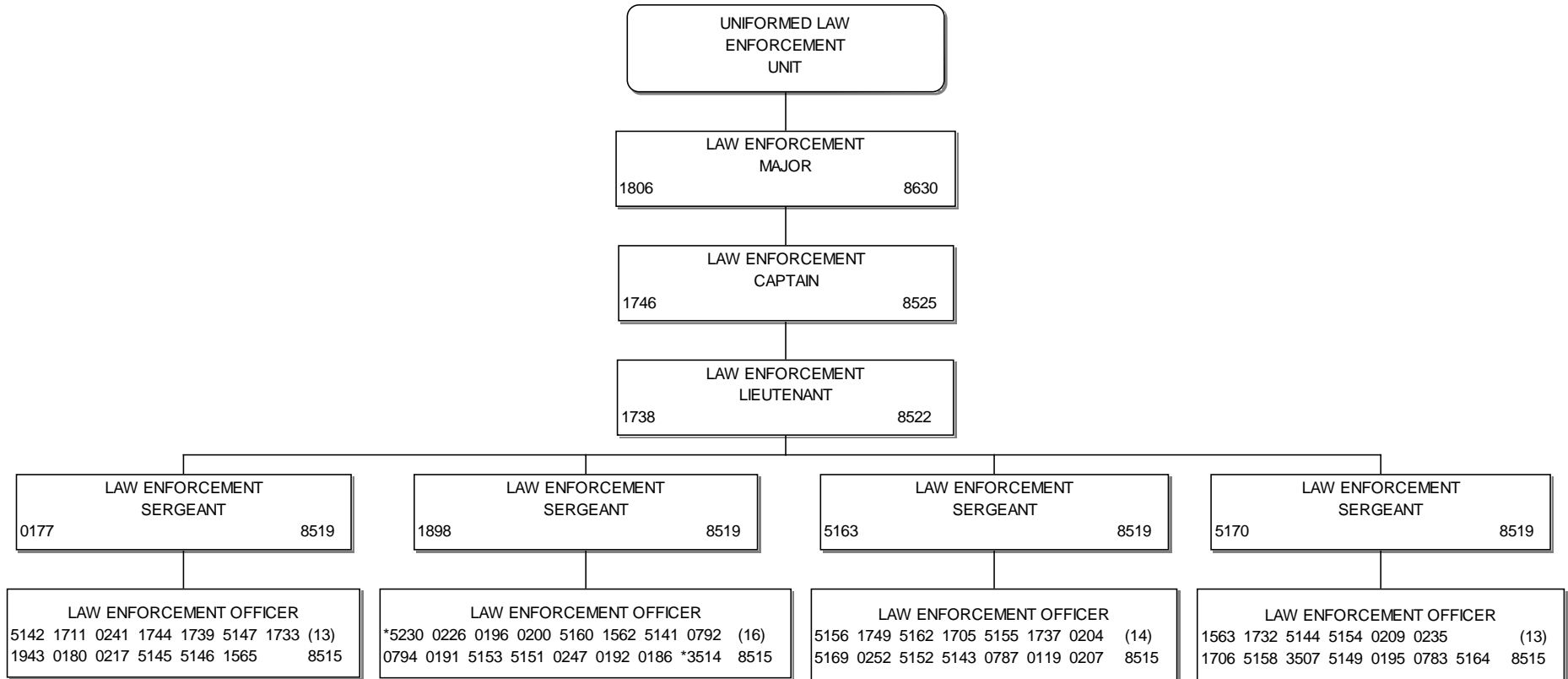
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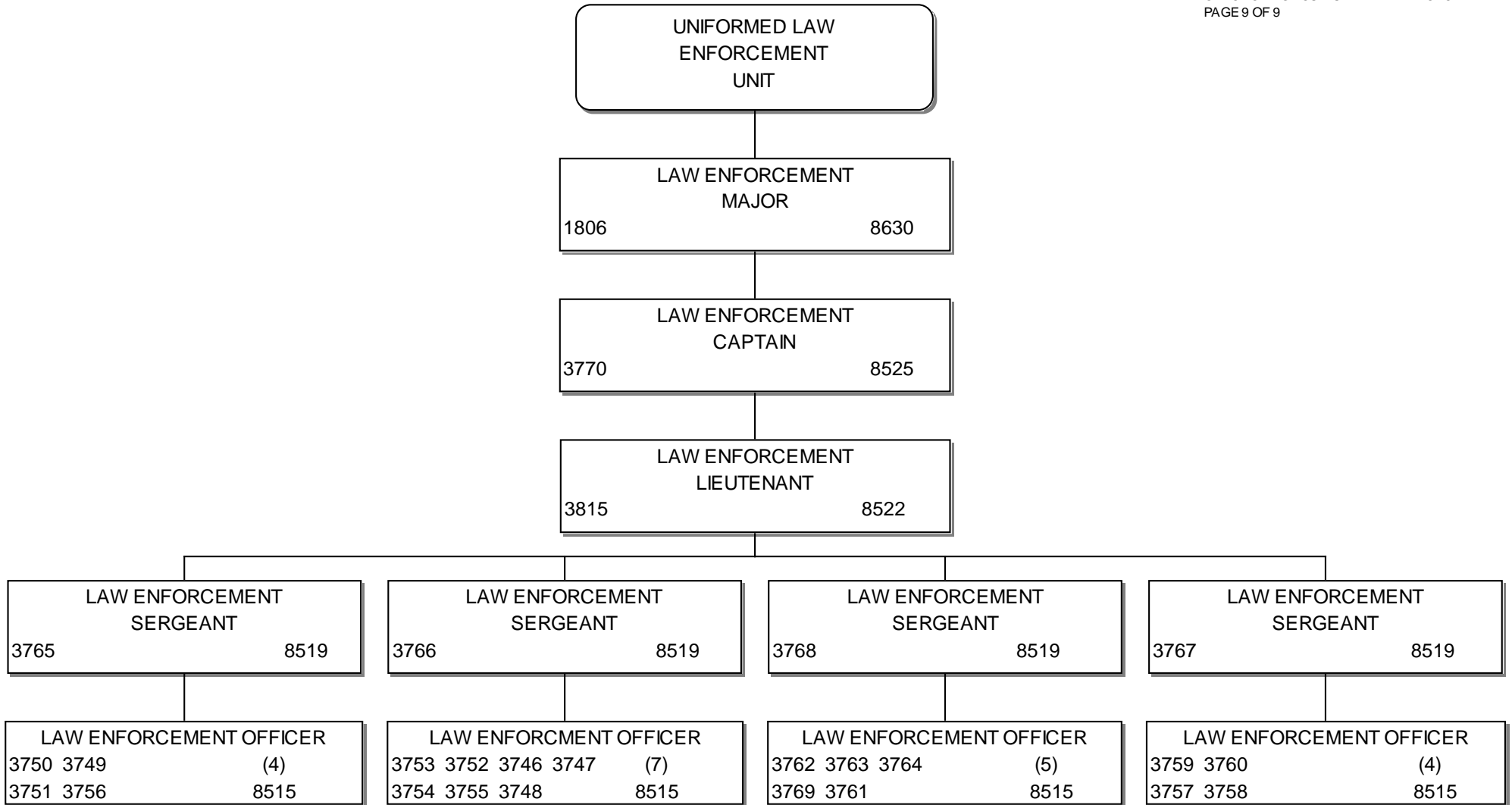


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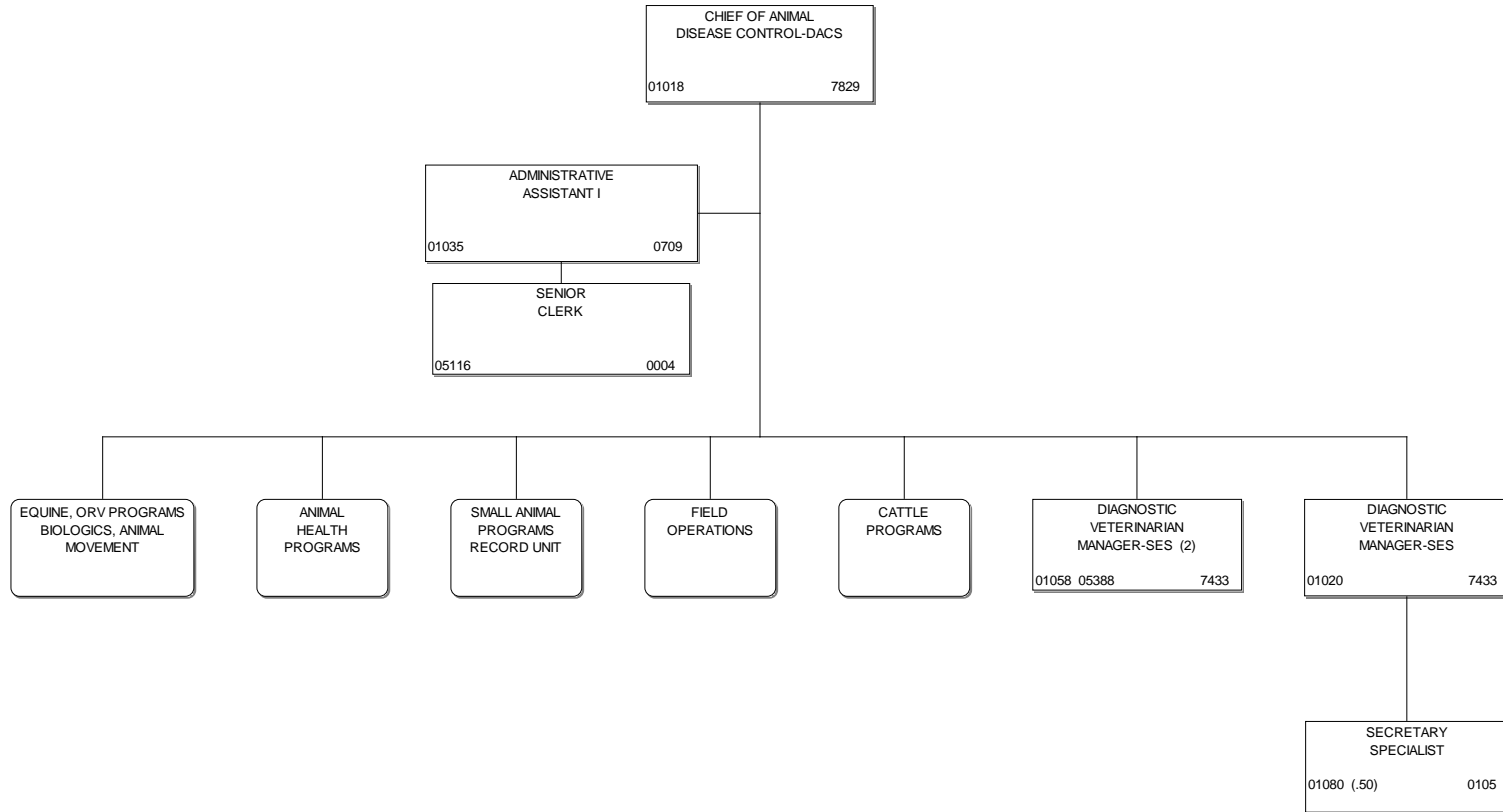
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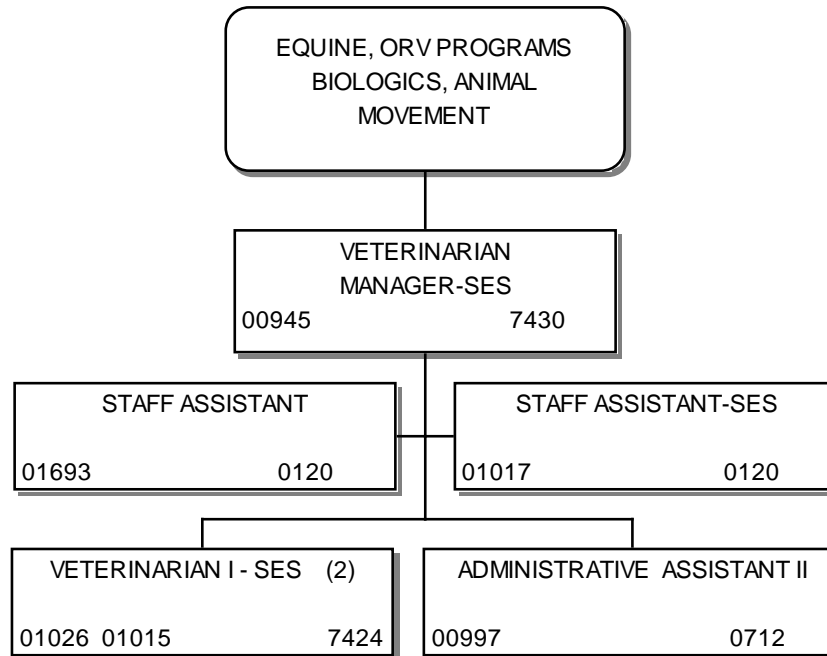
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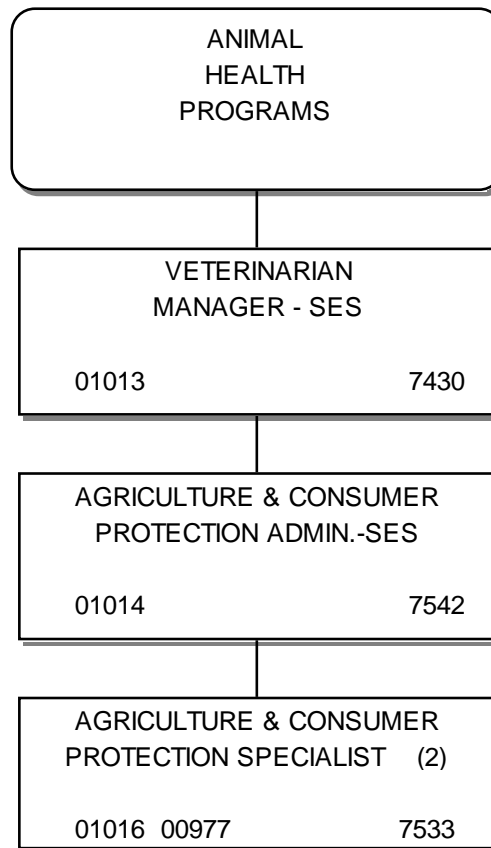
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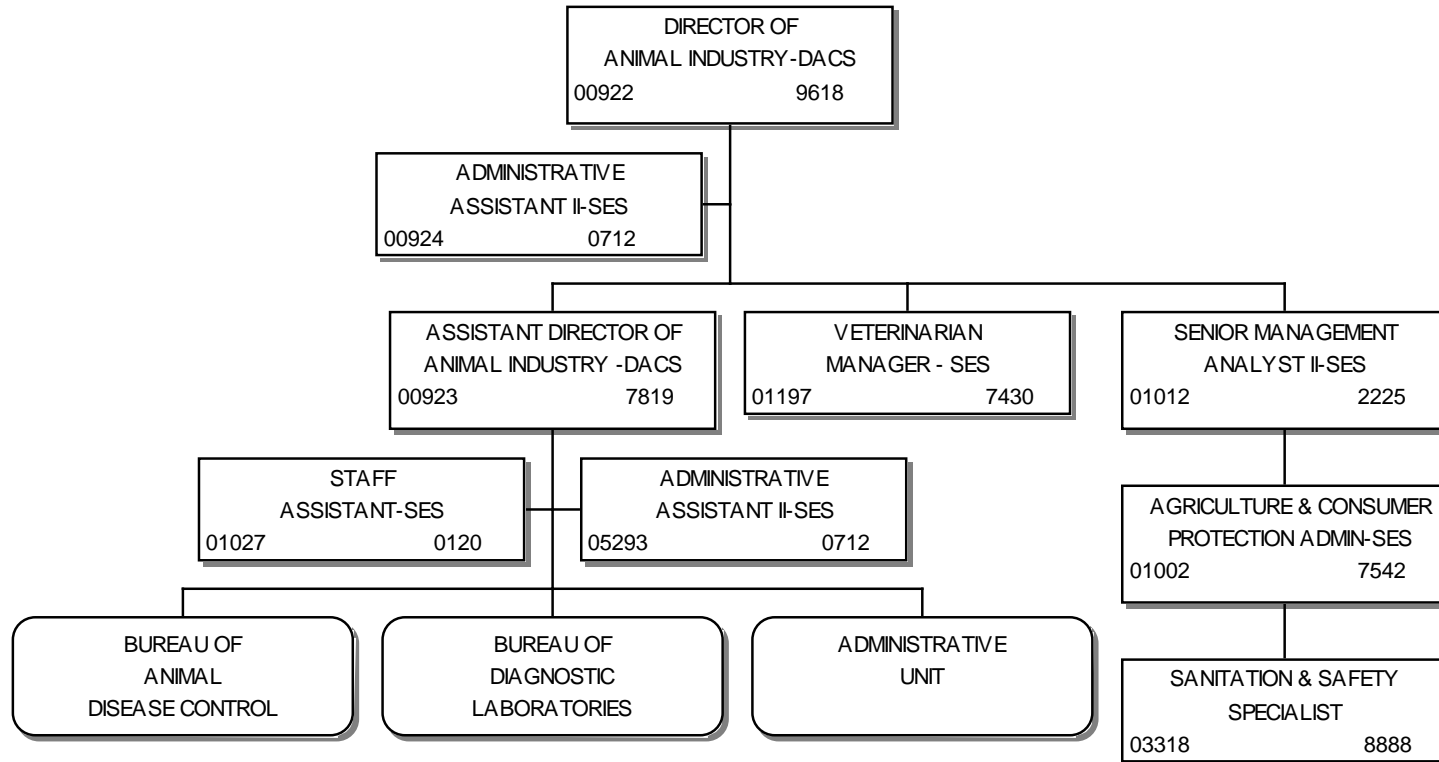
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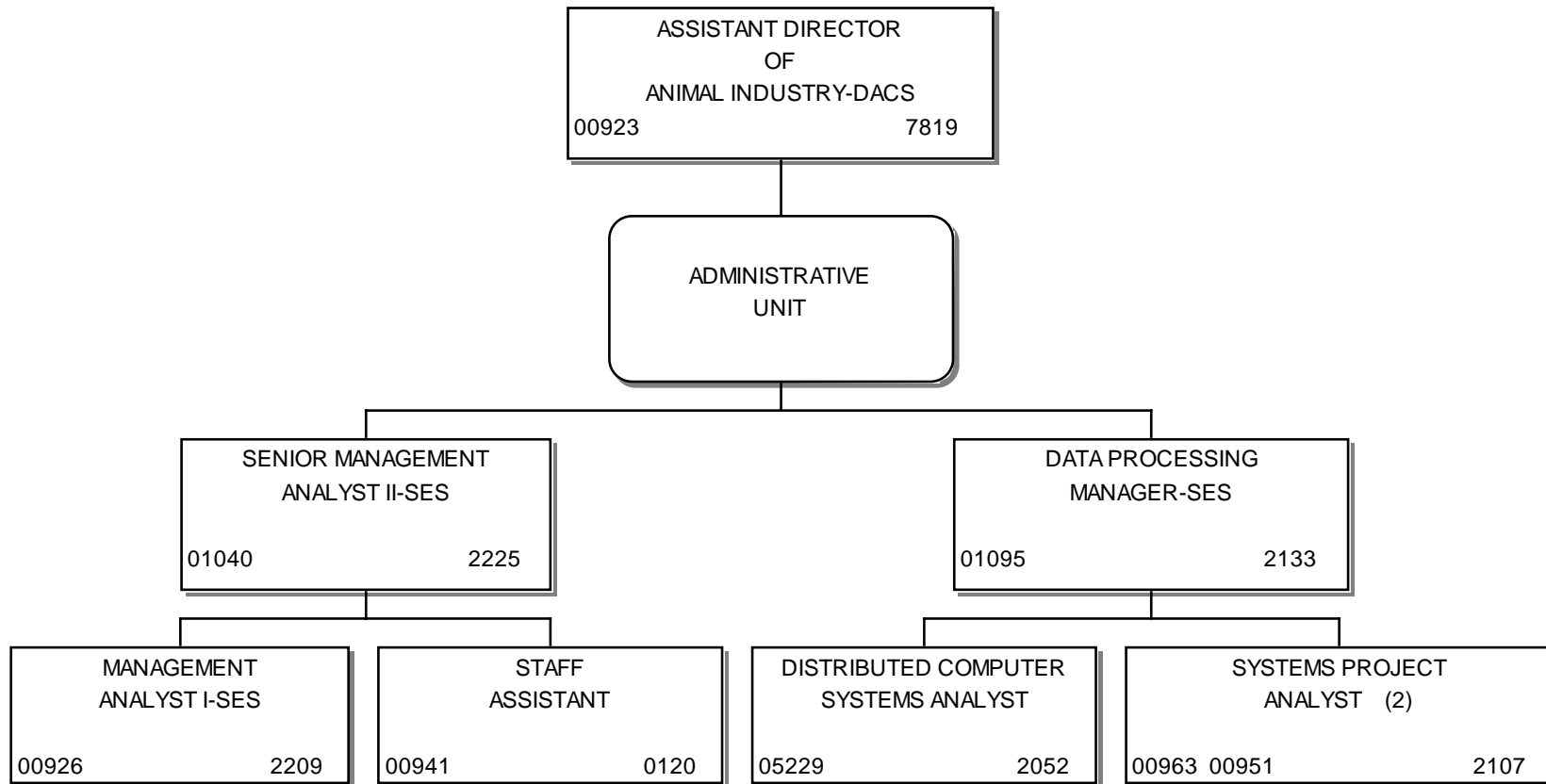
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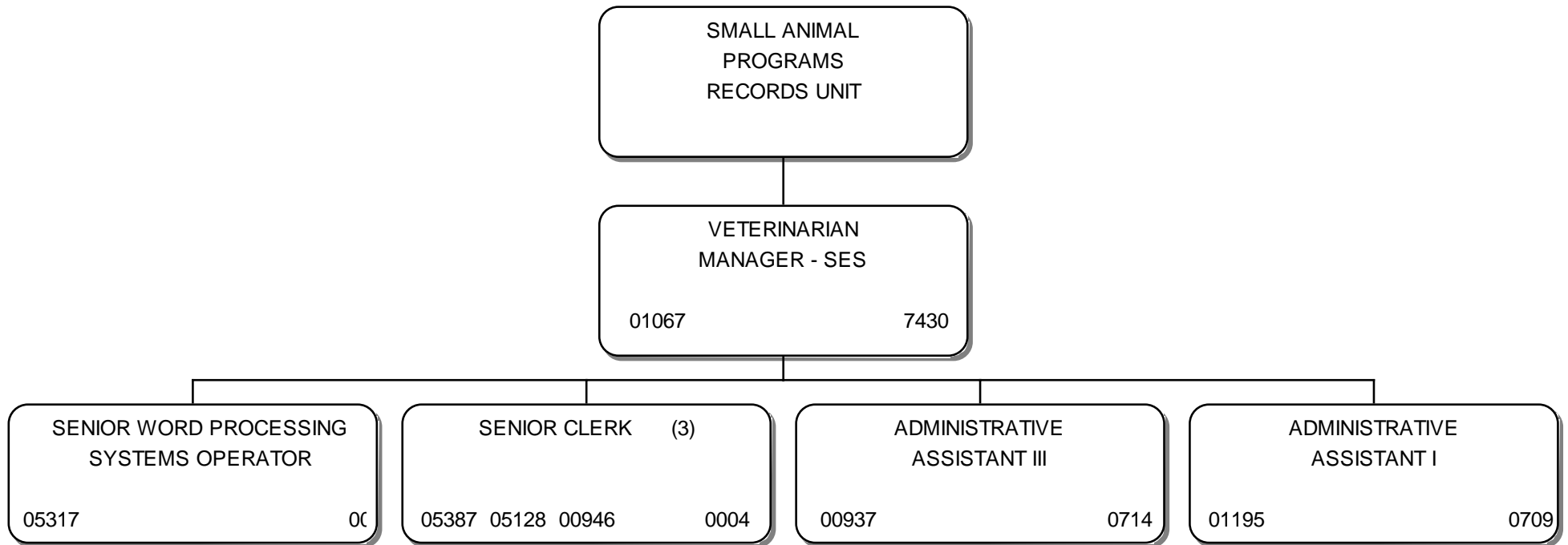
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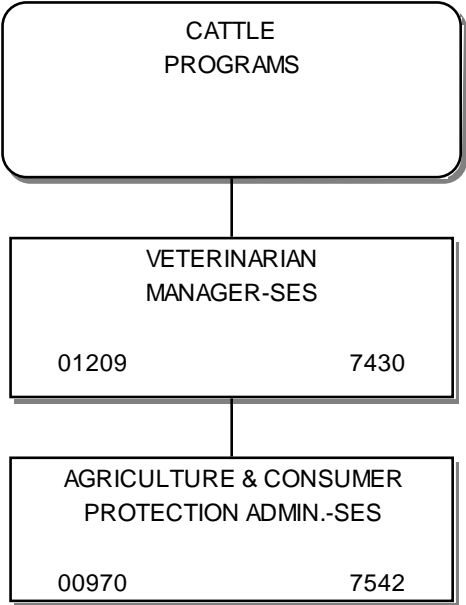


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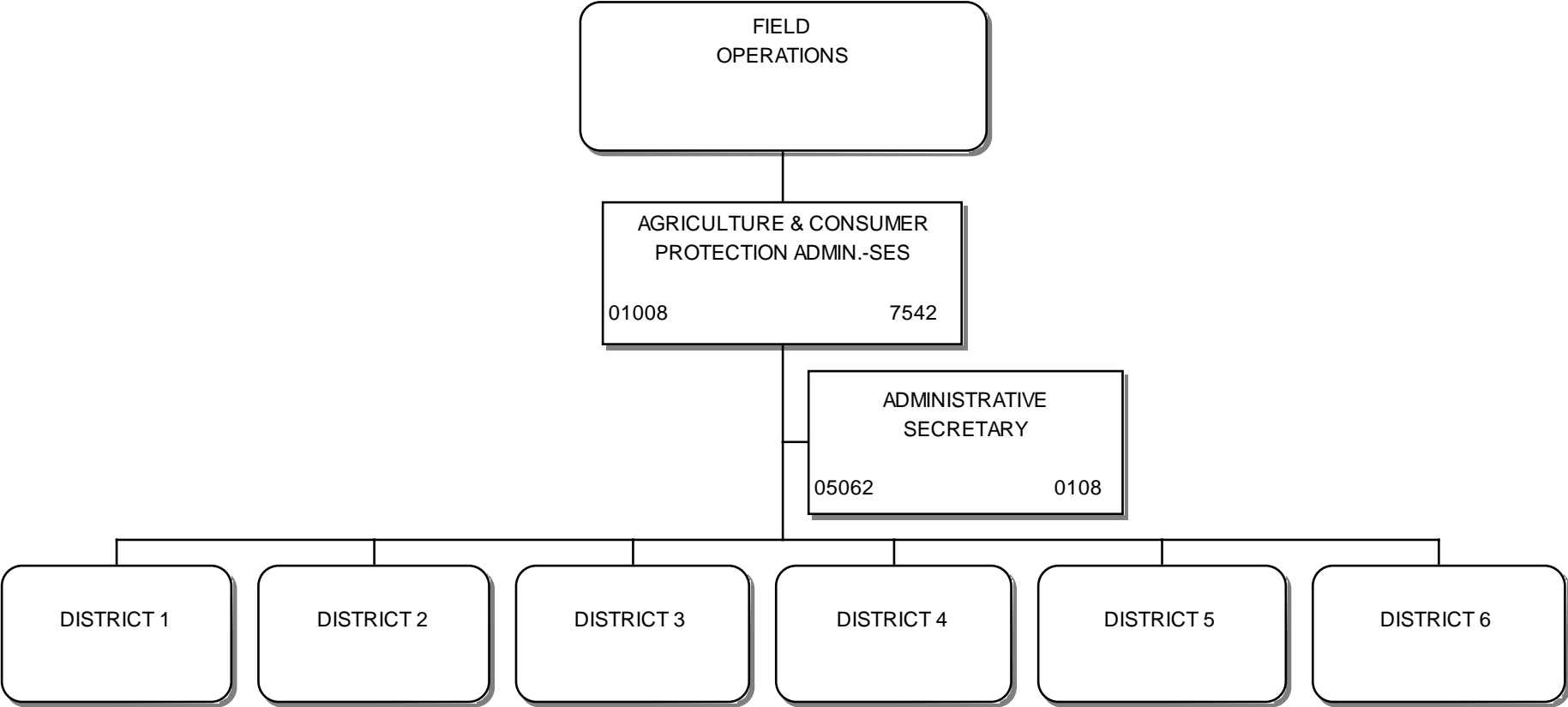
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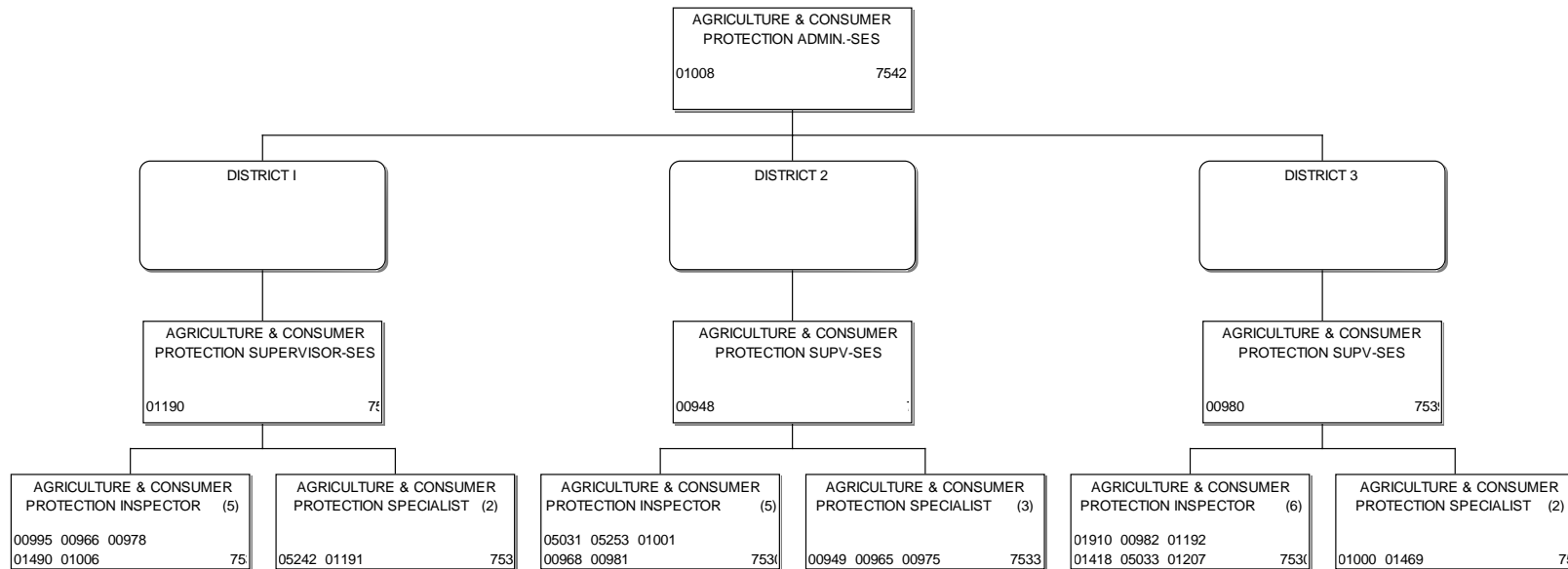
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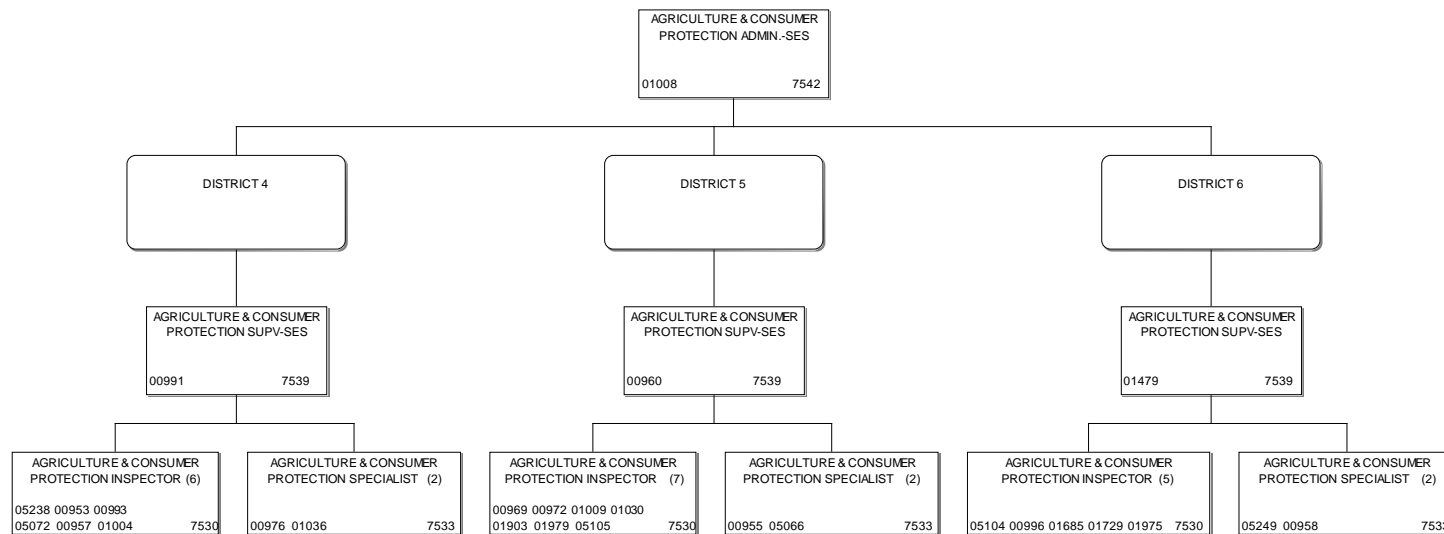
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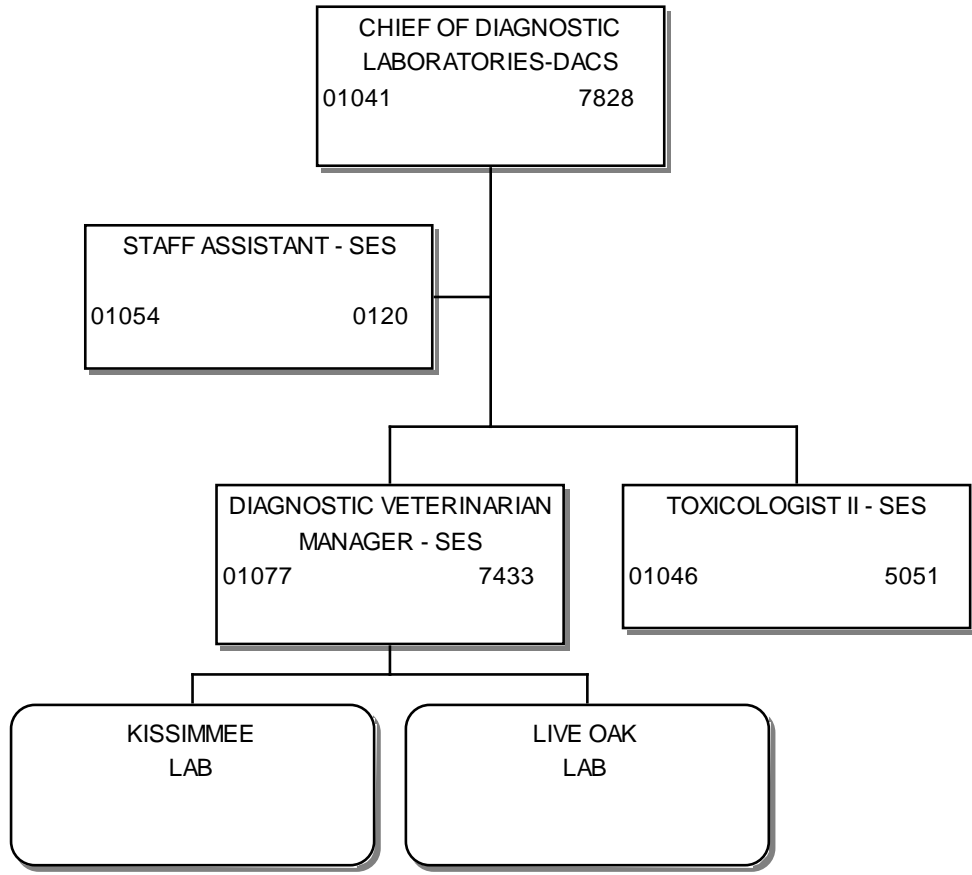
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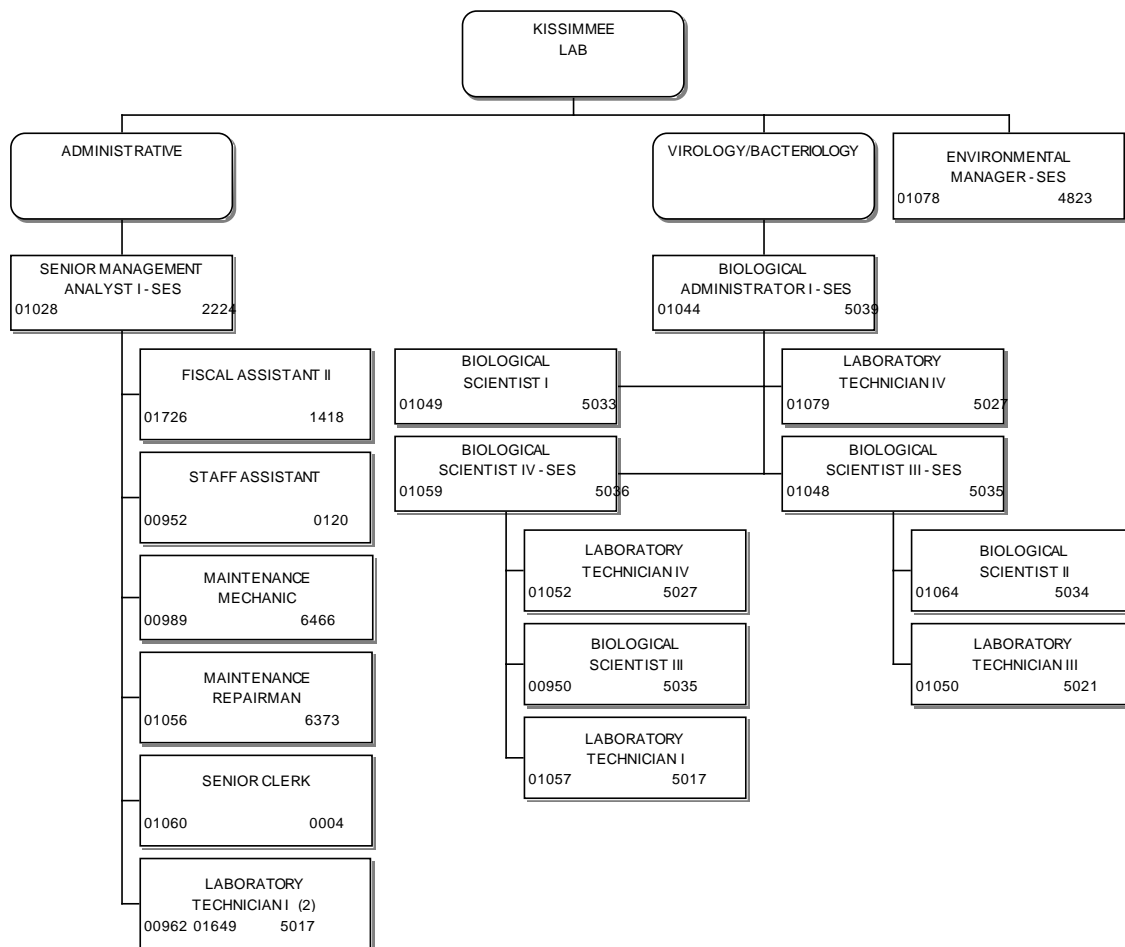
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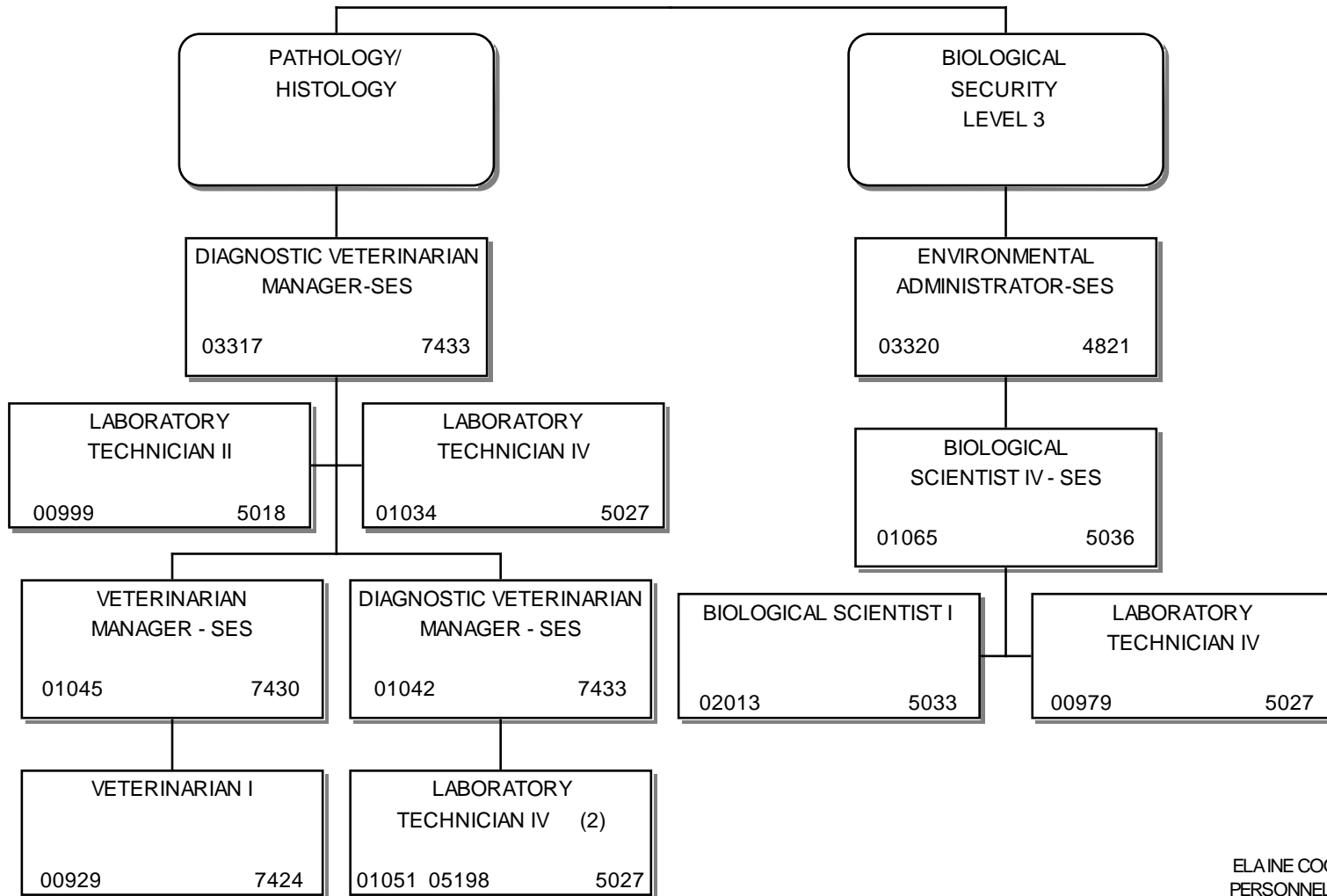
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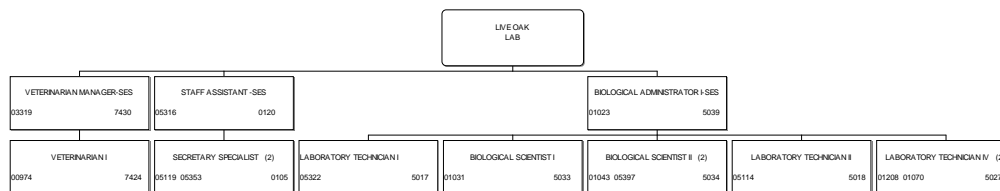
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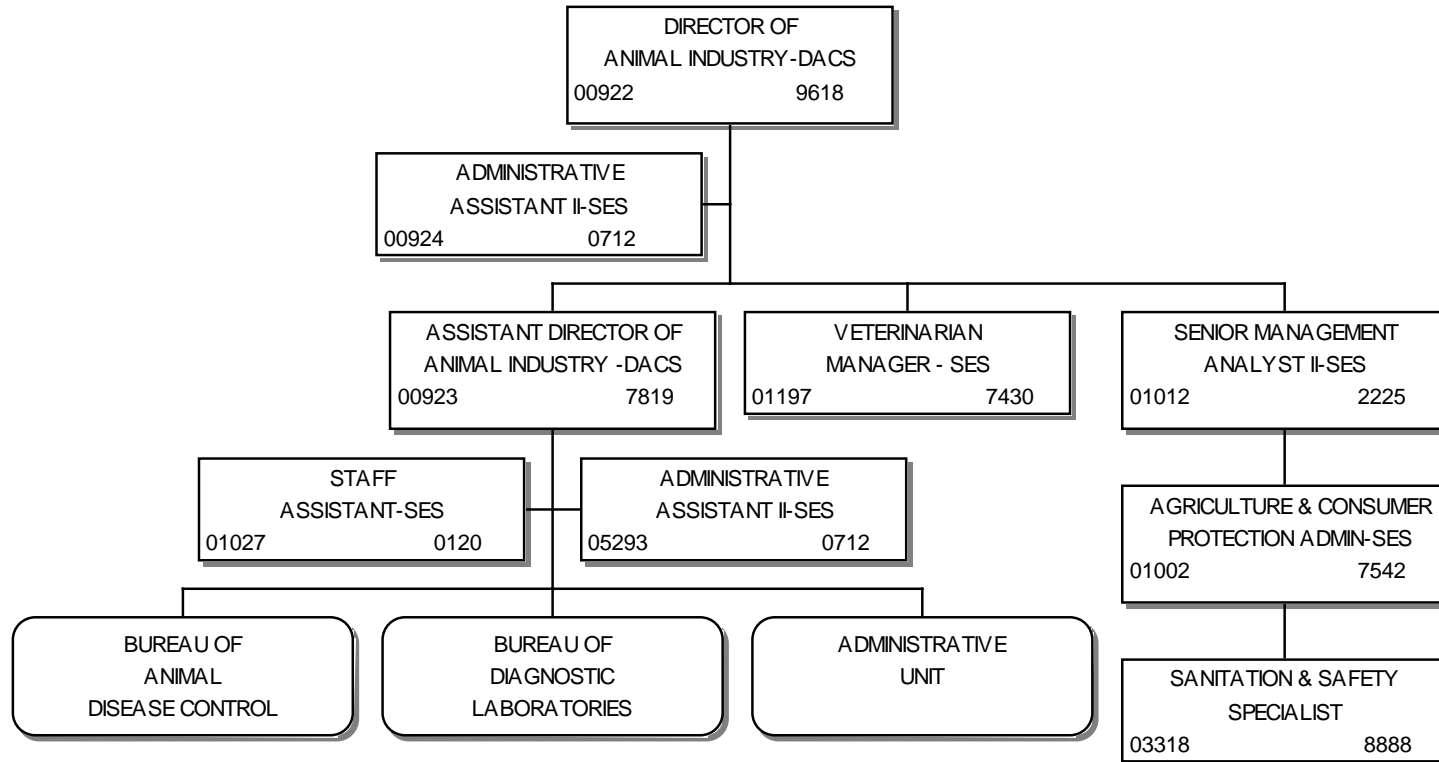
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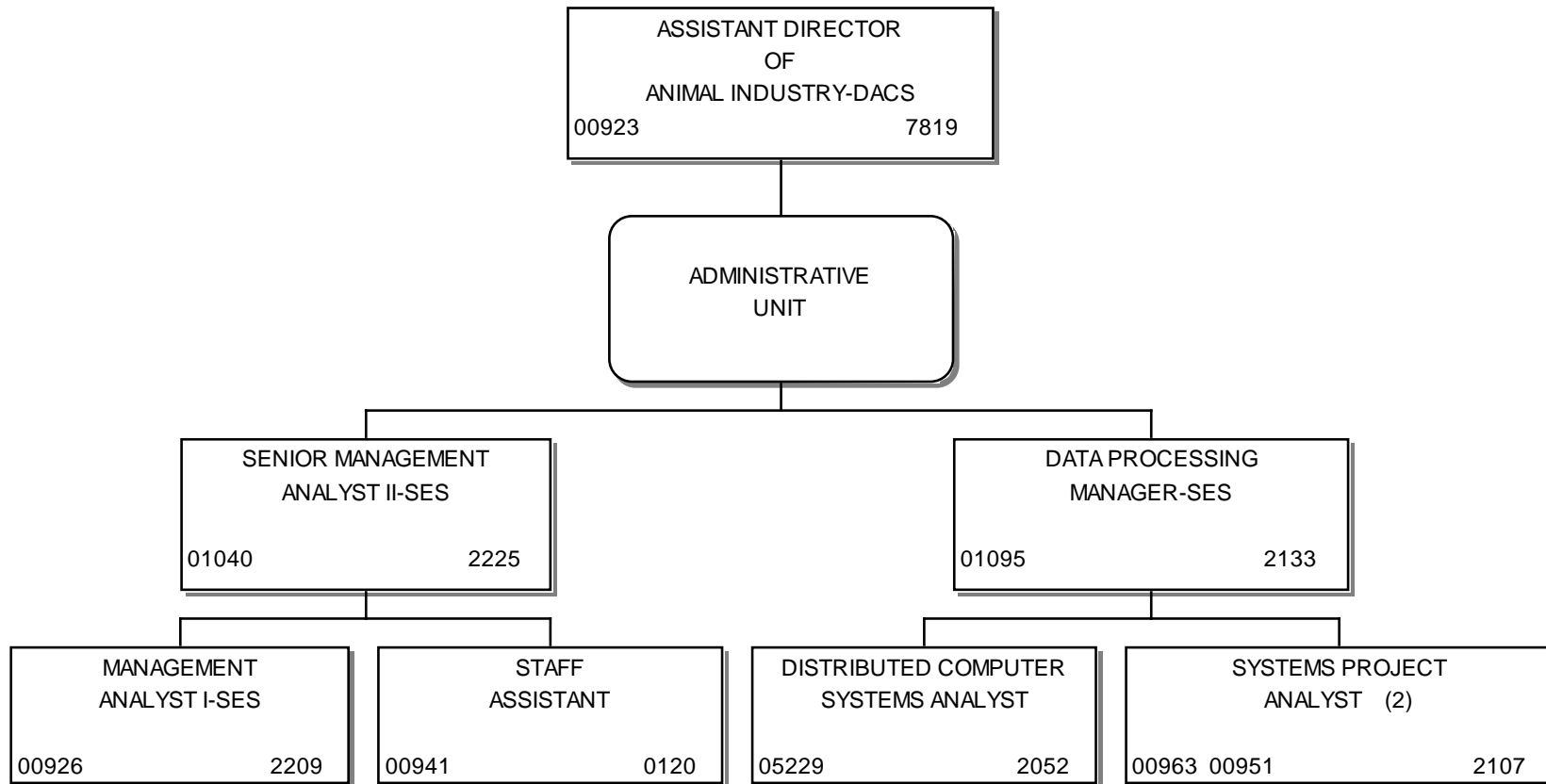
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DIVISION OF ANIMAL INDUSTRY**

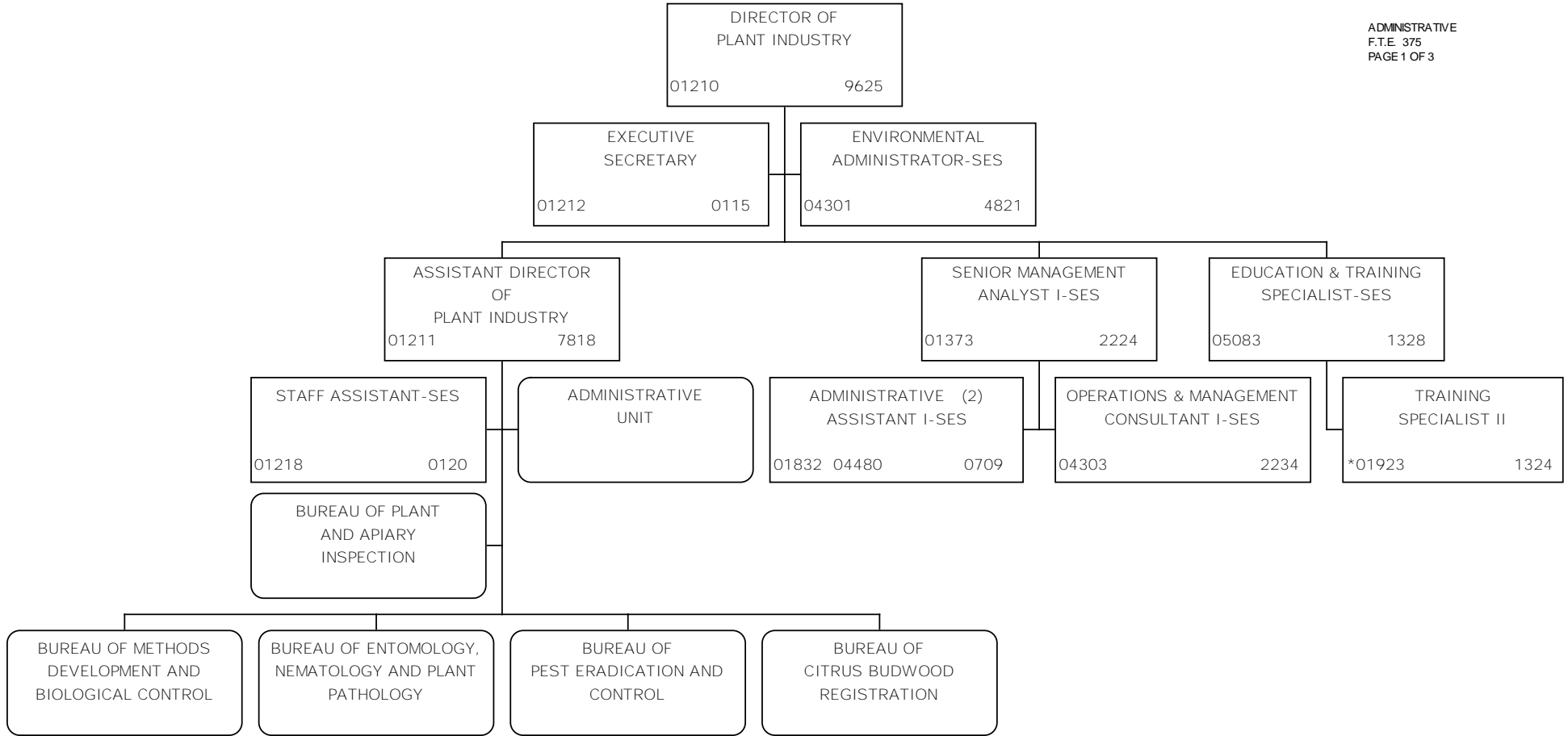
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PAGE 2 OF 2



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 5/18/2007

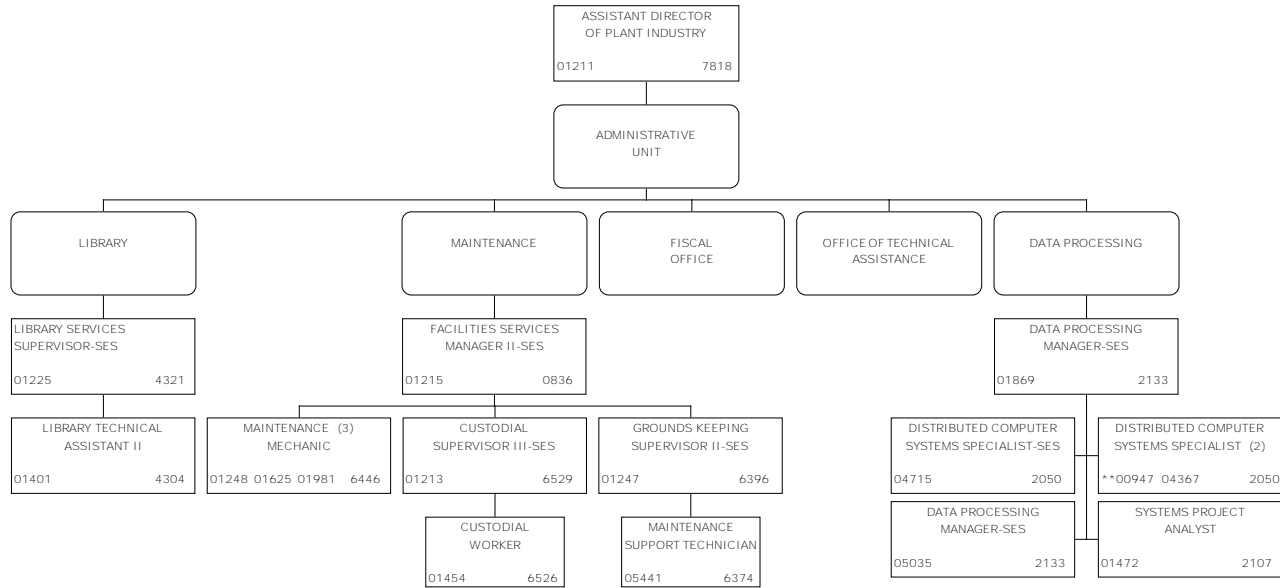
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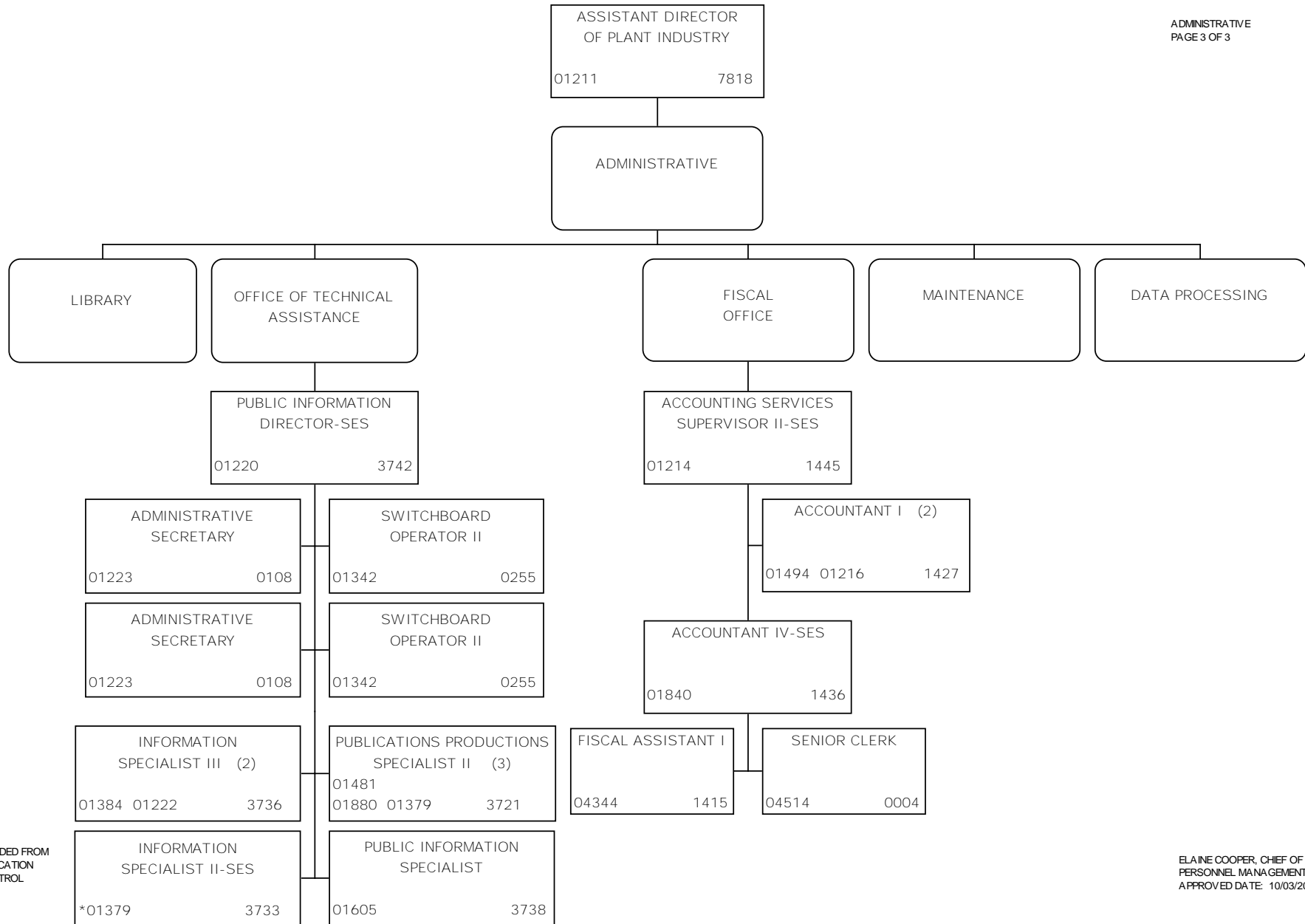
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APPROVED DATE: 04/06/2007

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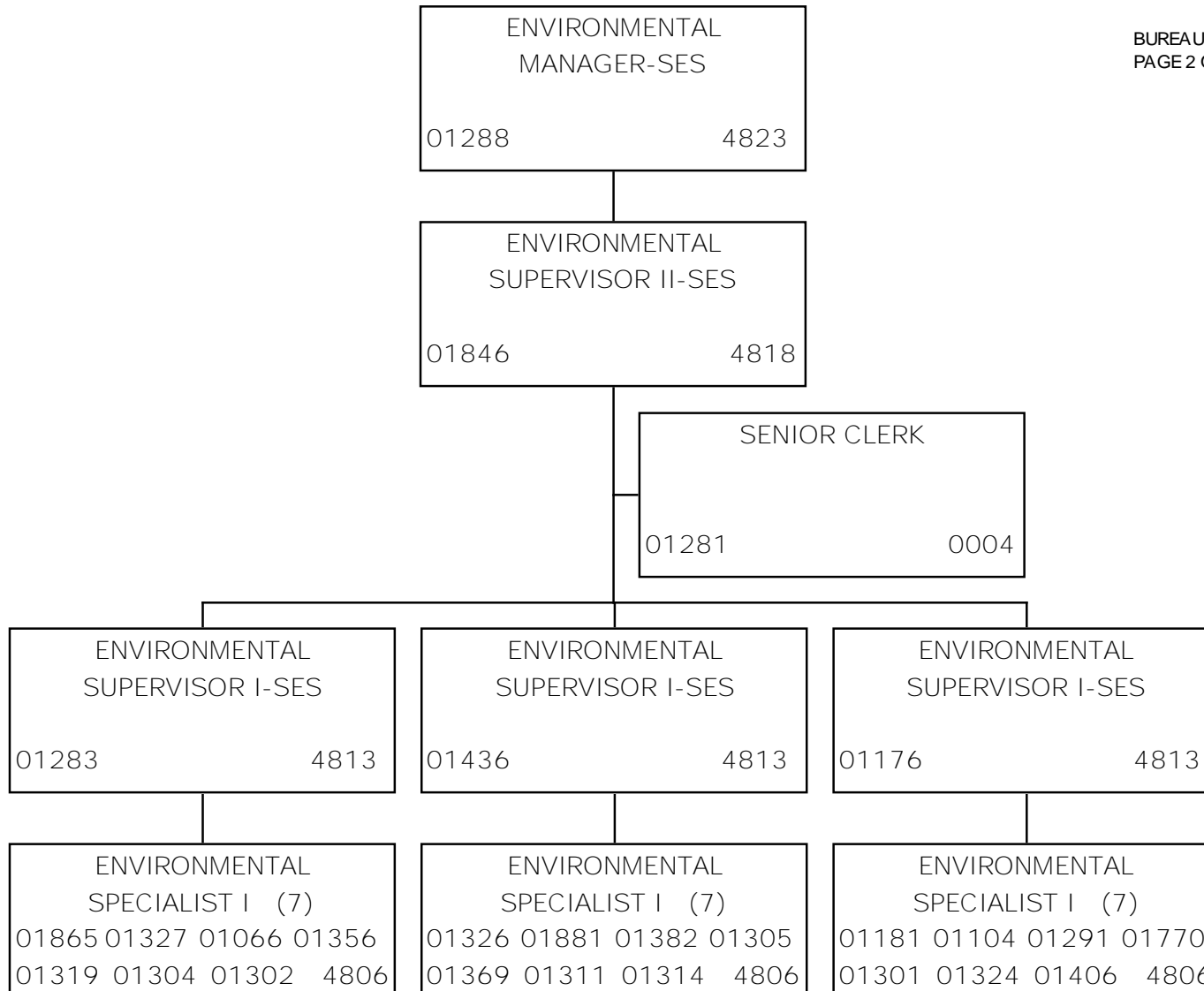
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APPROVED DATE: 10/03/2008



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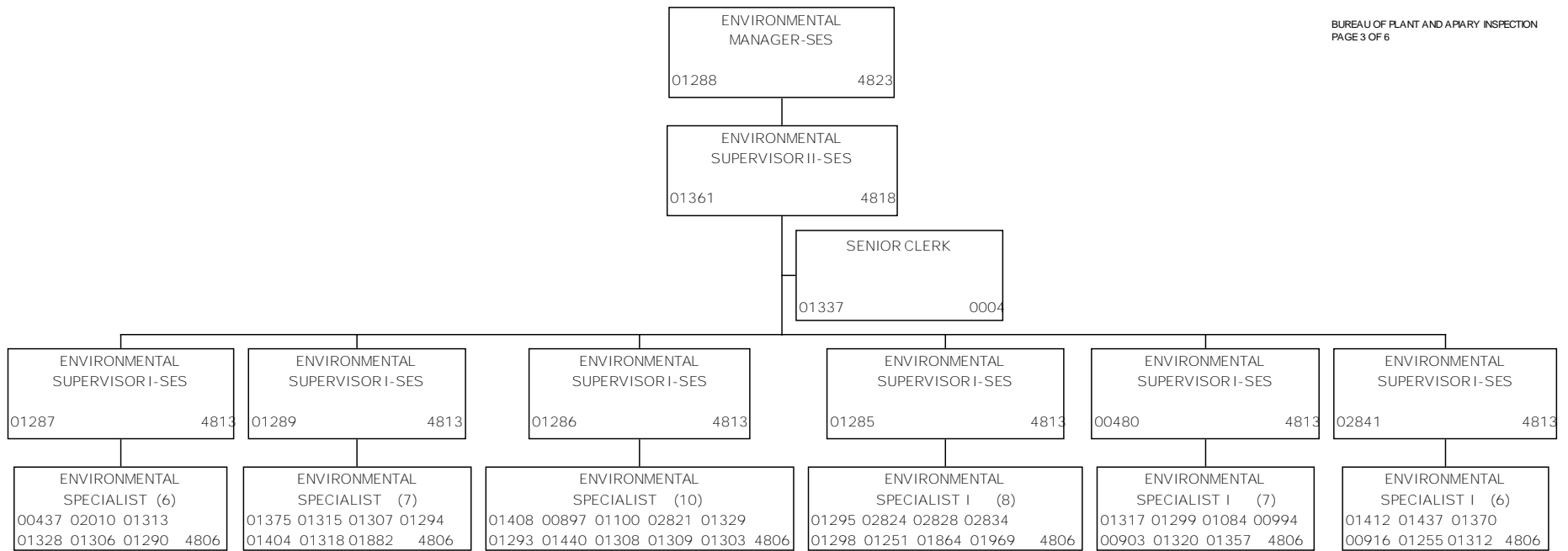
BUREAU OF PLANT AND APIARY INSPECTION  
PAGE 2 OF 6



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 10/07/2005

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BUREAU OF PLANT AND ANIMAL INSPECTION  
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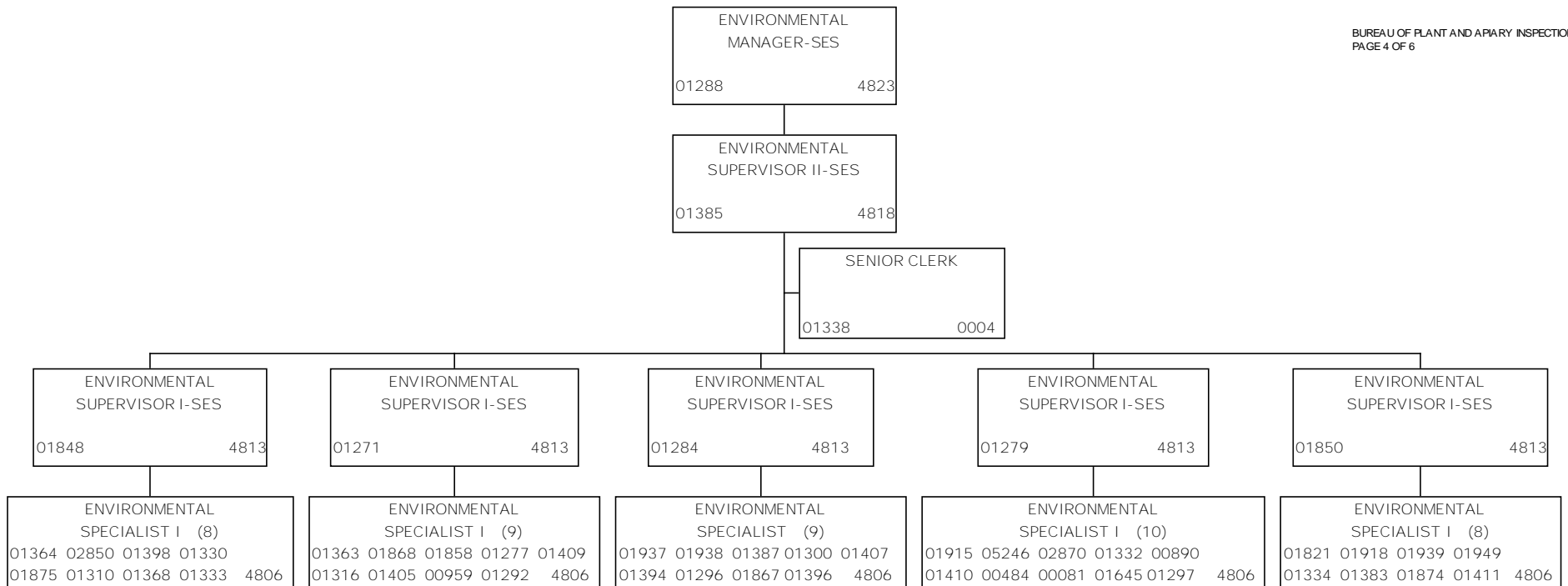


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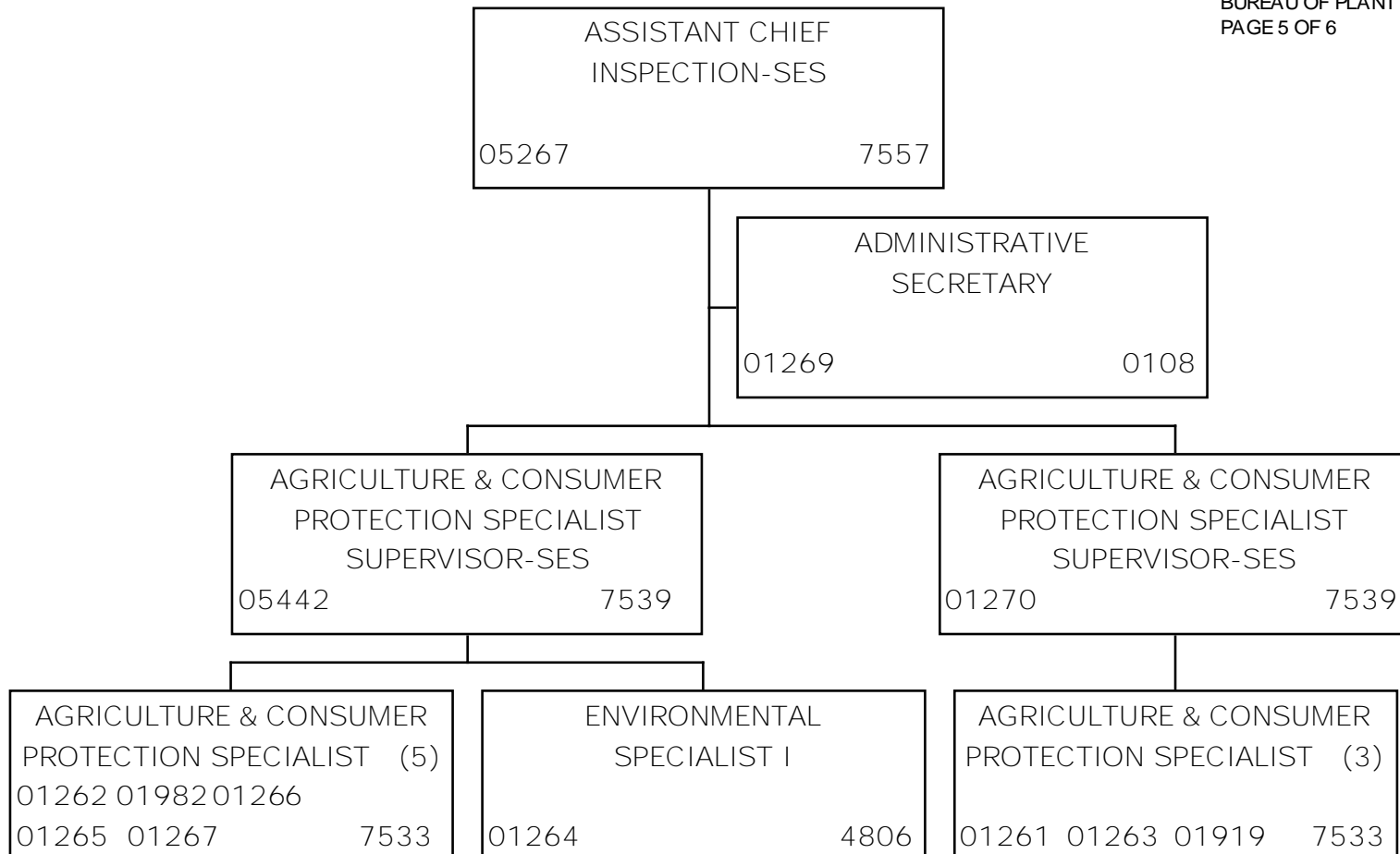
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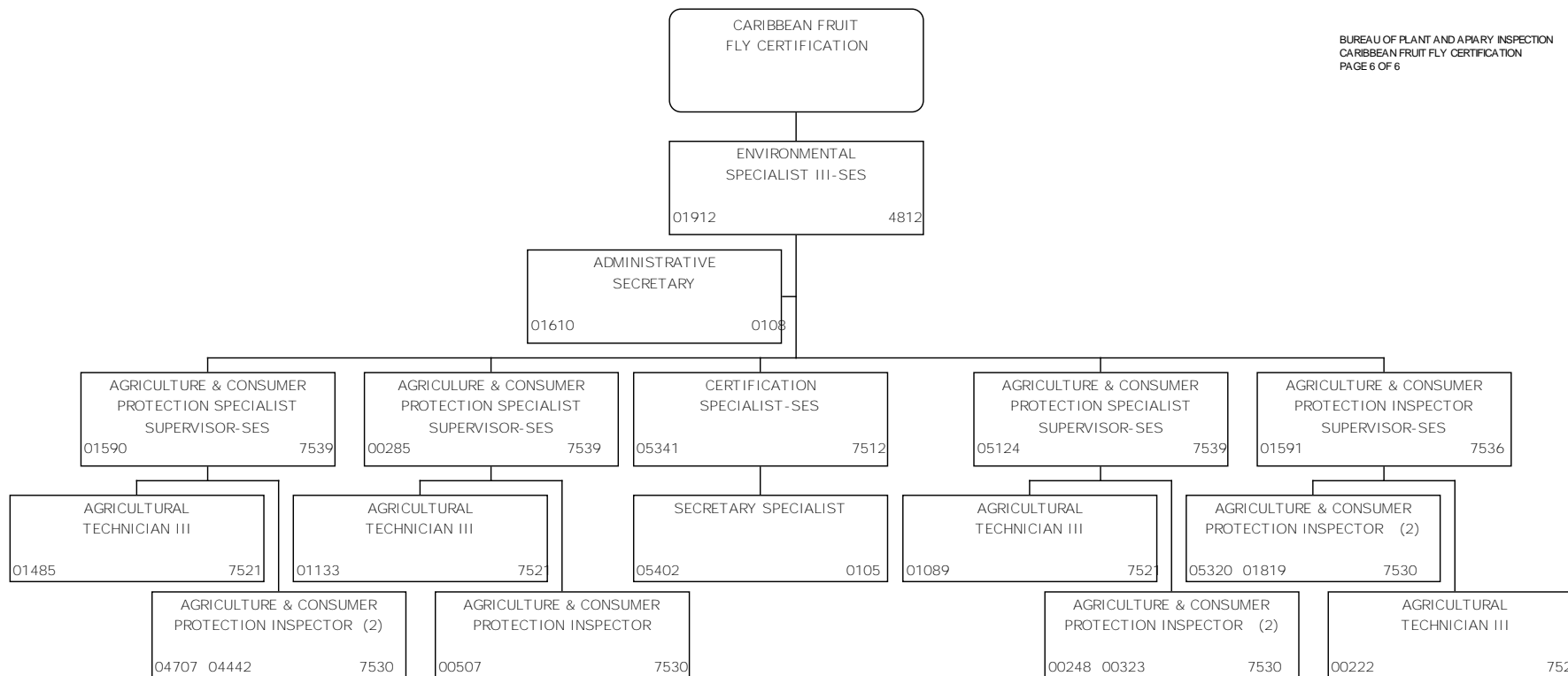
BUREAU OF PLANT AND APIARY INSPECTION  
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ELIANE COOPER, CHIEFOF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 10/08/2005

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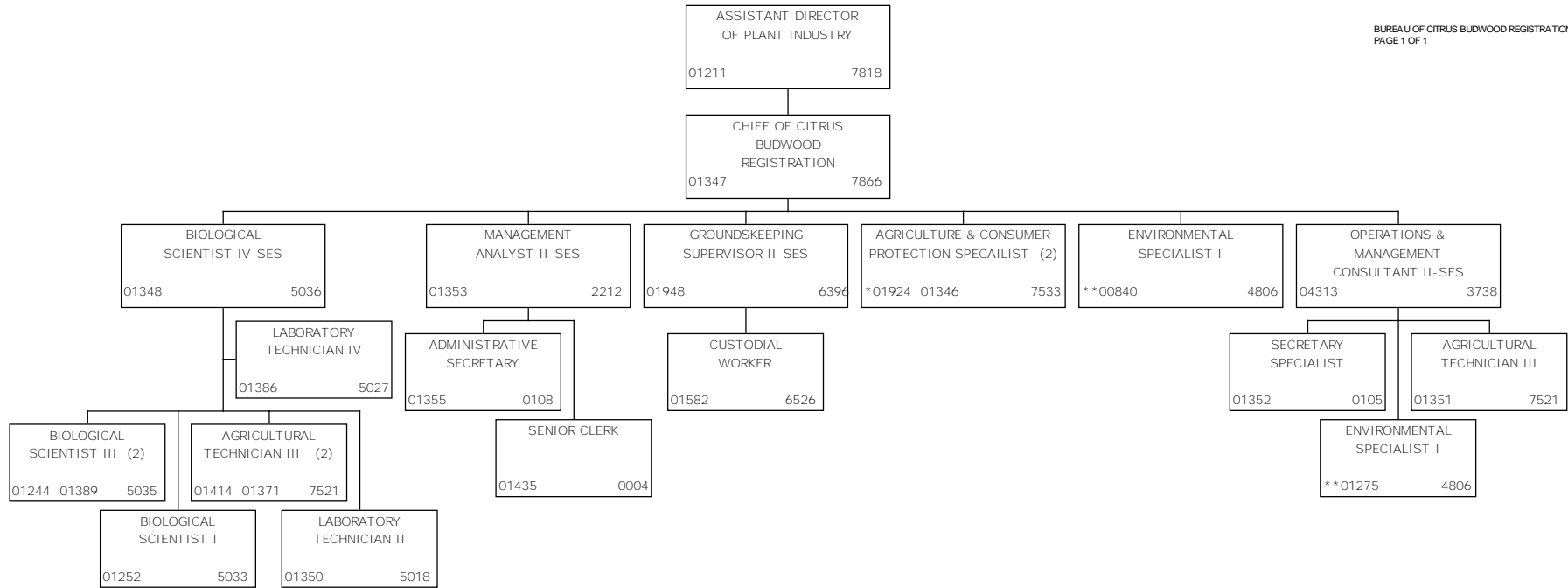
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PAGE 6 OF 6



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PERSONNEL MANAGEMENT  
APPROVED DATE: 04/20/2007

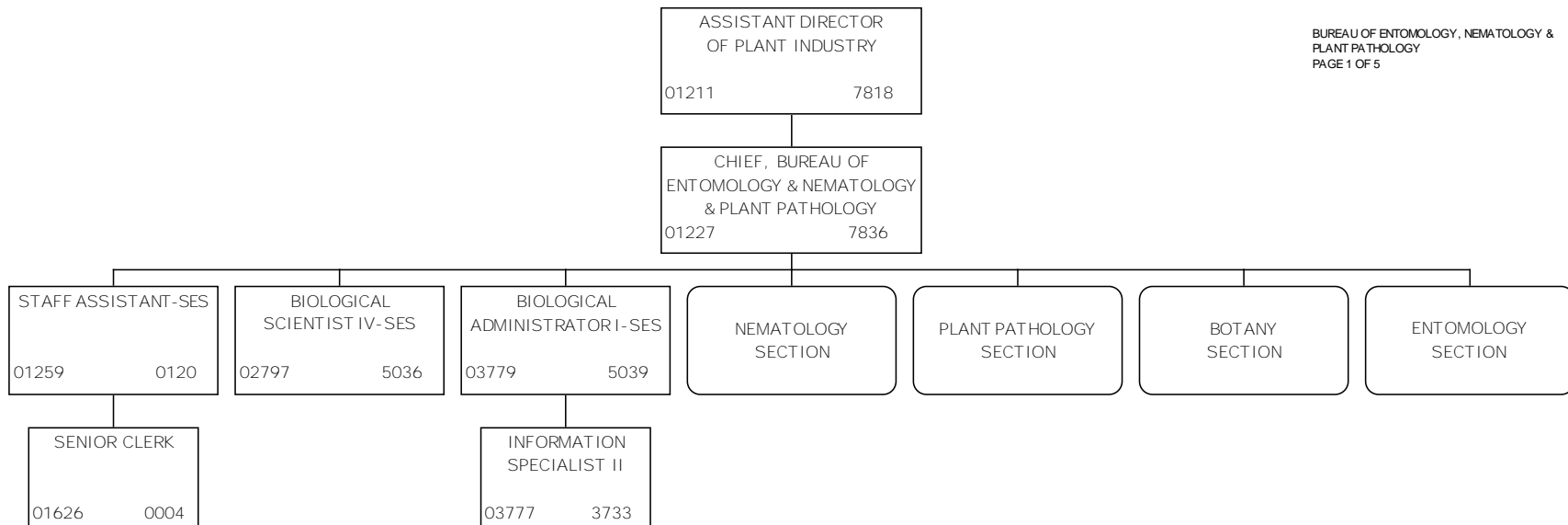
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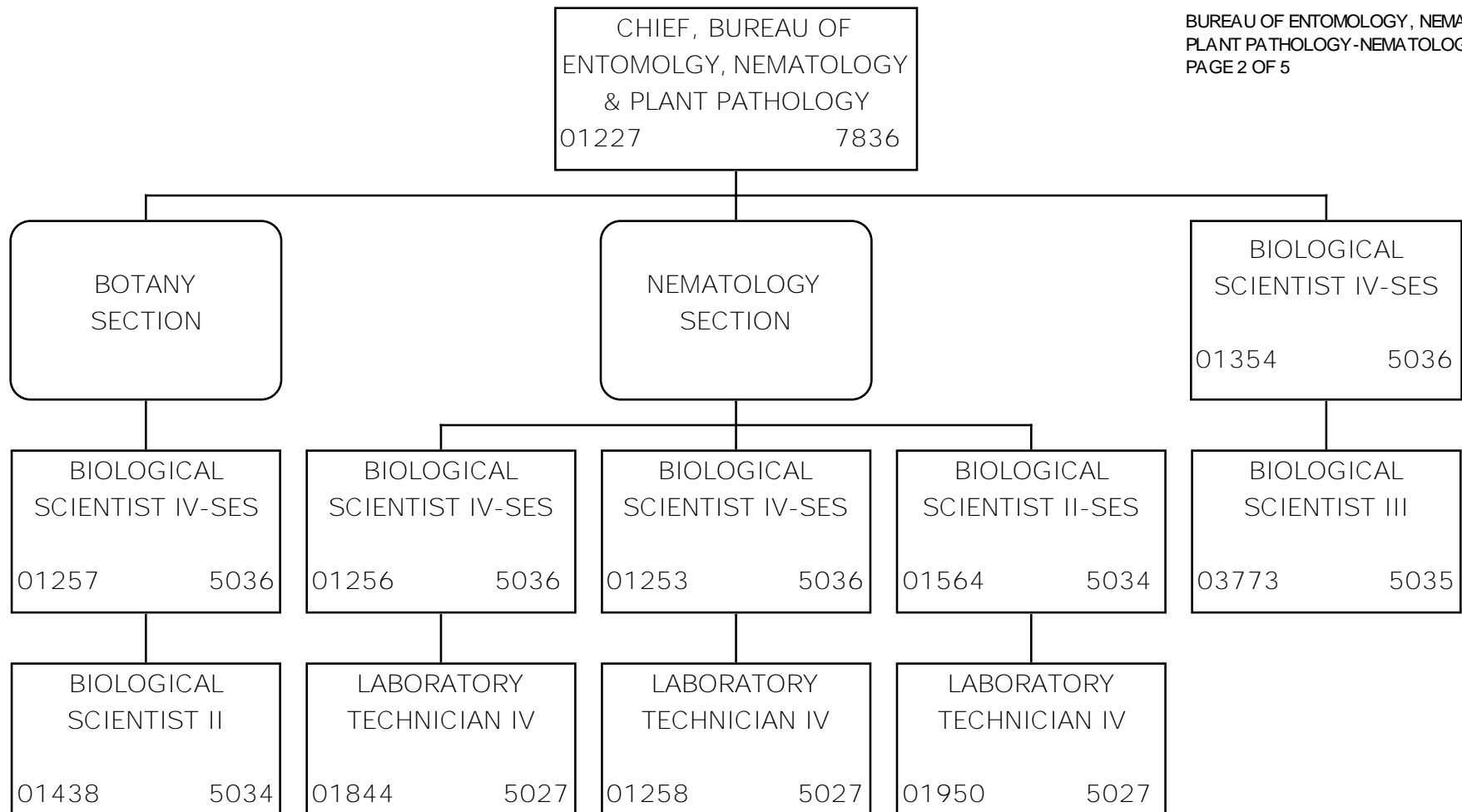


BUREAU OF ENTOMOLOGY, NEMATOLOGY &  
PLANT PATHOLOGY  
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ELAINE COOPER, CHIEF OF  
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APPROVED DATE: 07/14/2006

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AND CONSUMER SERVICES  
DIVISION OF PLANT INDUSTRY**

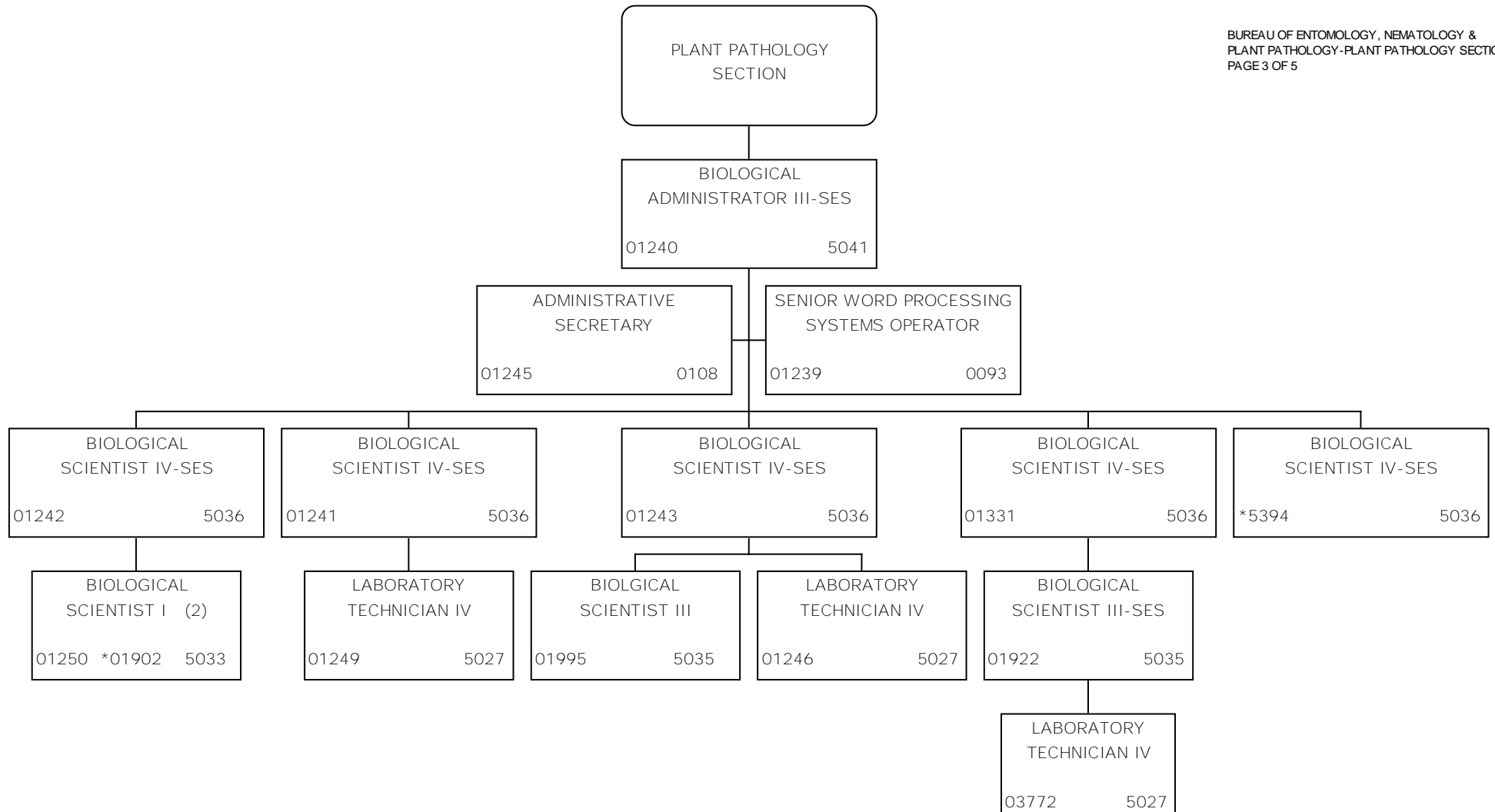
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ELAINE COOPER, CHIEF OF  
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APPROVED DATE: 10/07/2005

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DIVISION OF PLANT INDUSTRY**

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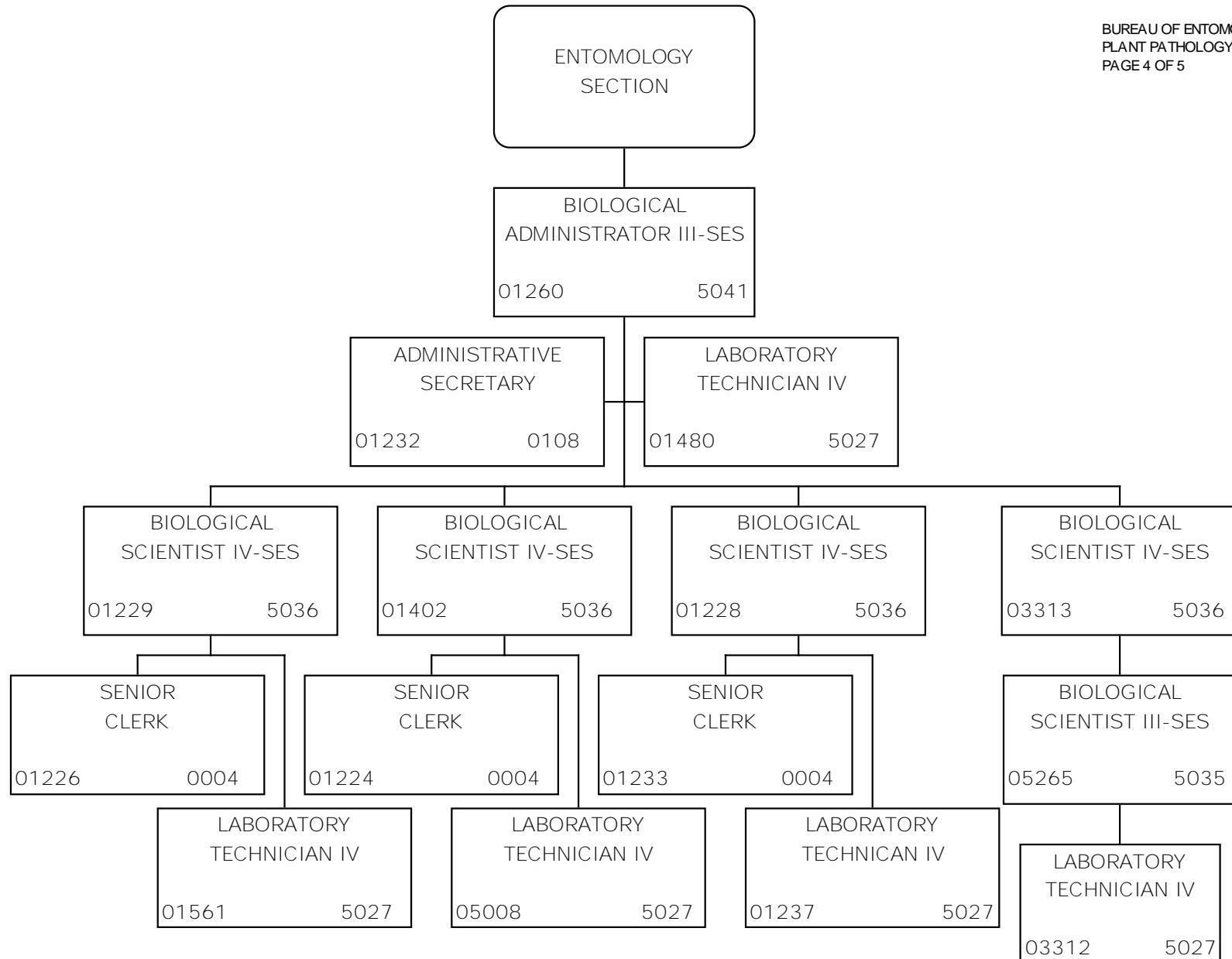


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APPROVED DATE: 02/27/2008

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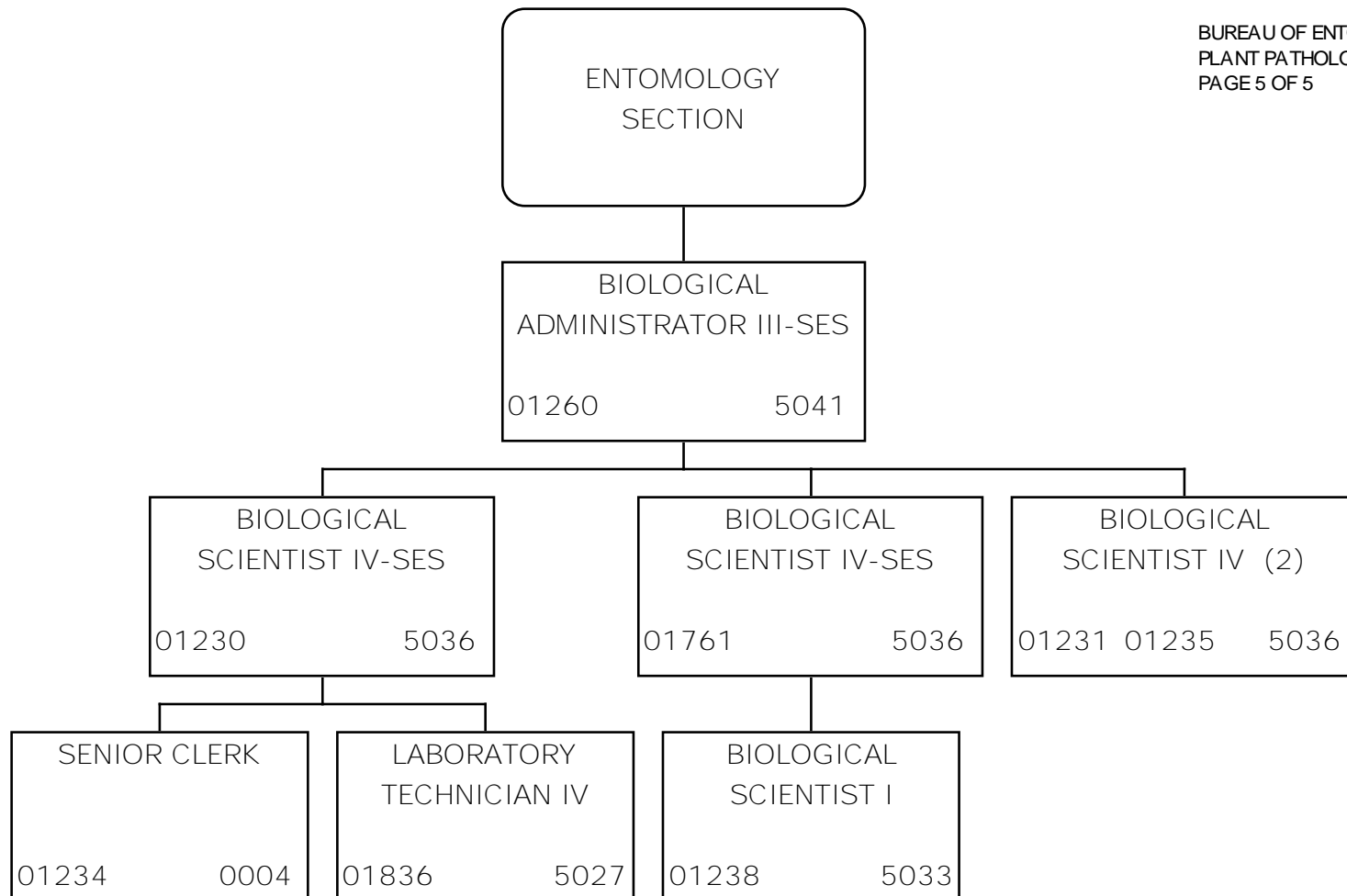
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PLANT PATHOLOGY-ENTOMOLGY SECTION  
PAGE 4 OF 5



ELAINE COOPER, CHIEF  
OF PERSONNEL  
MANAGEMENT  
APPROVED DATE:  
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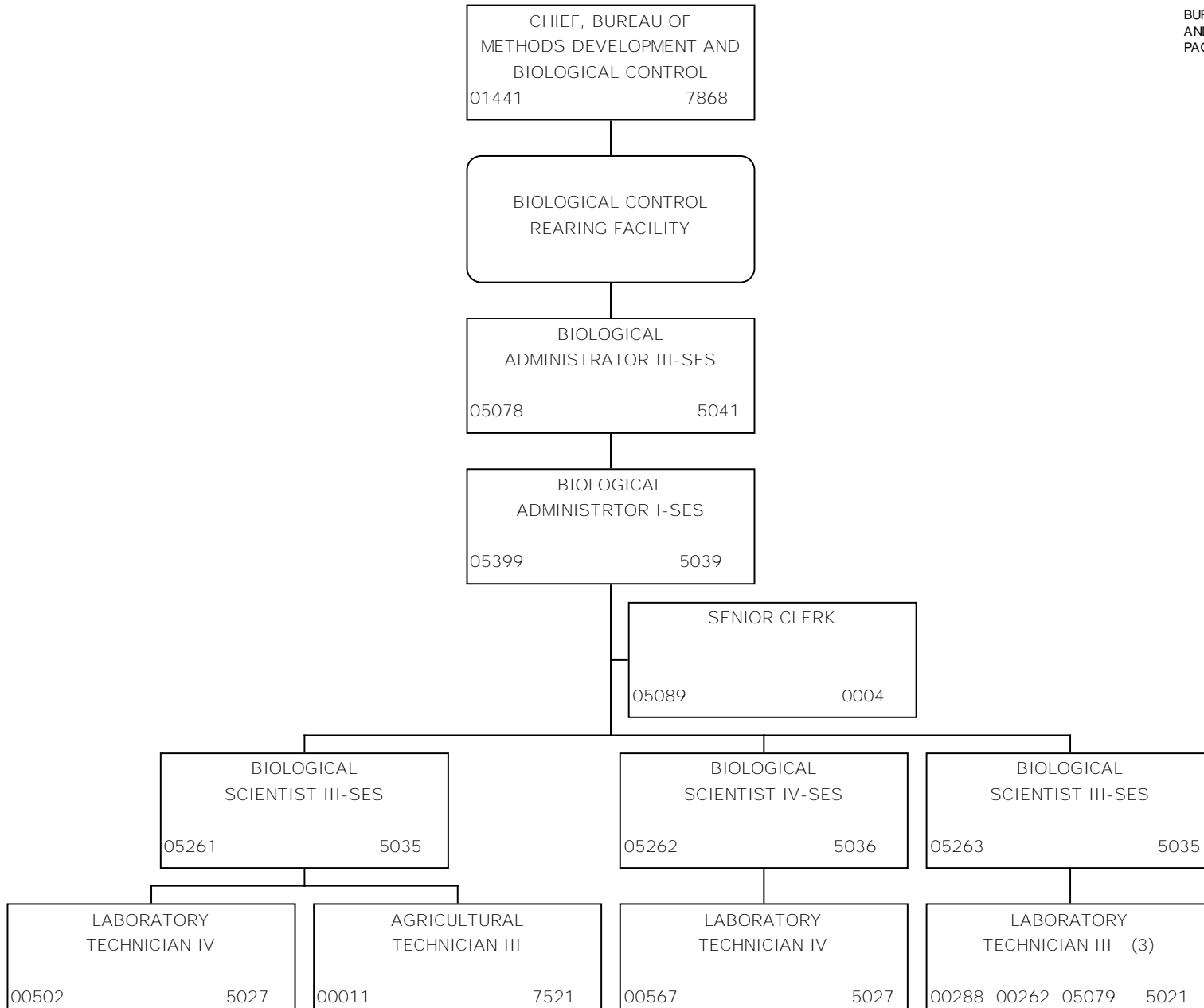


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PLANT PATHOLOGY-ENTOMOLOGY SECTION  
PAGE 5 OF 5

ELAINE COOPER, CHIEF OF  
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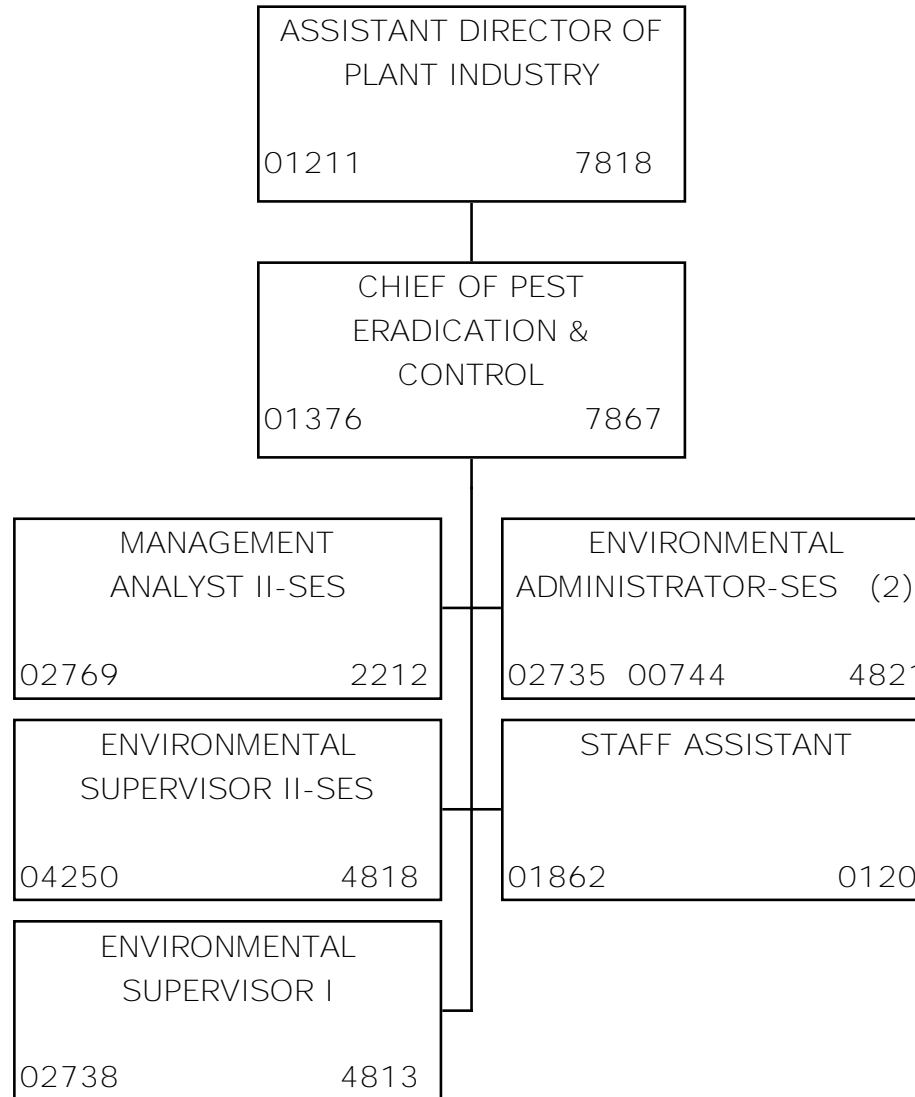
BUREAU OF METHODS DEVELOPMENT  
AND BIOLOGICAL CONTROL  
PAGE 2 OF 2



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 09/08/2006

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
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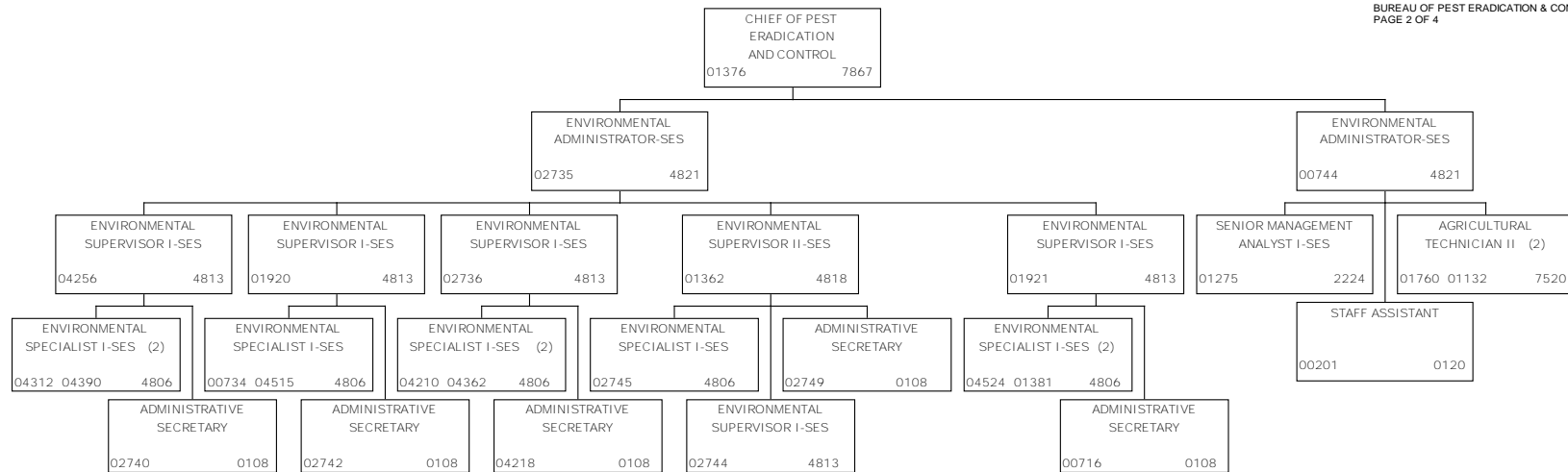
BUREAU OF PEST ERADICATION & CONTROL  
PAGE 1 OF 4



ELAINE COOPER, CHIEF OF  
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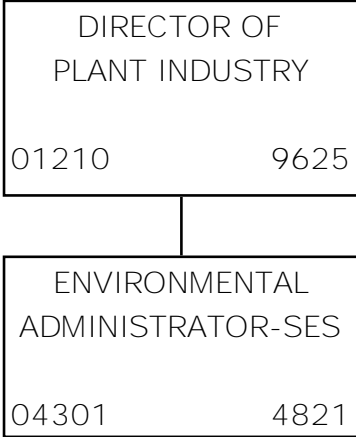
# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF PLANT INDUSTRY

BUREAU OF PEST ERADICATION & CONTROL  
PAGE 2 OF 4



ELAINE COOPER, CHIEF OF  
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APPROVED DATE: 04/21/2008

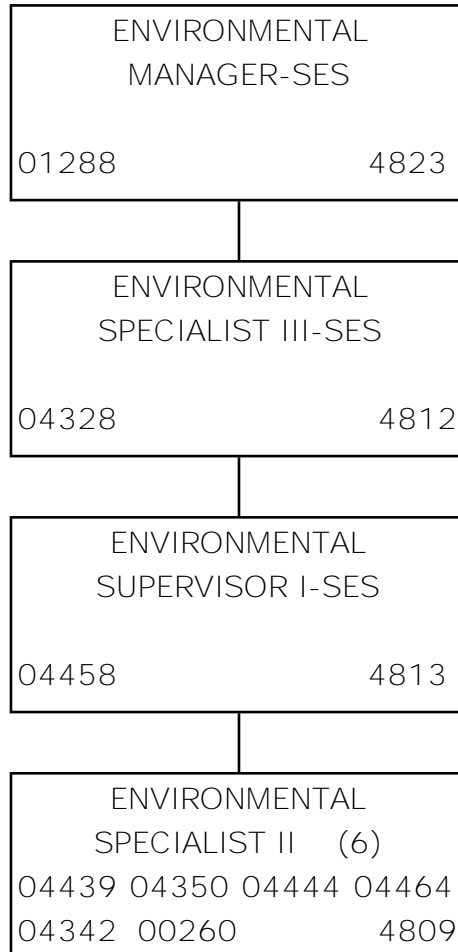
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BUREAU OF PEST READICATION & CONTROL  
PAGE 3 OF 4

ELAINE COOPER, CHIEF OF  
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APPROVED DATE: 04/21/2008

**DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES  
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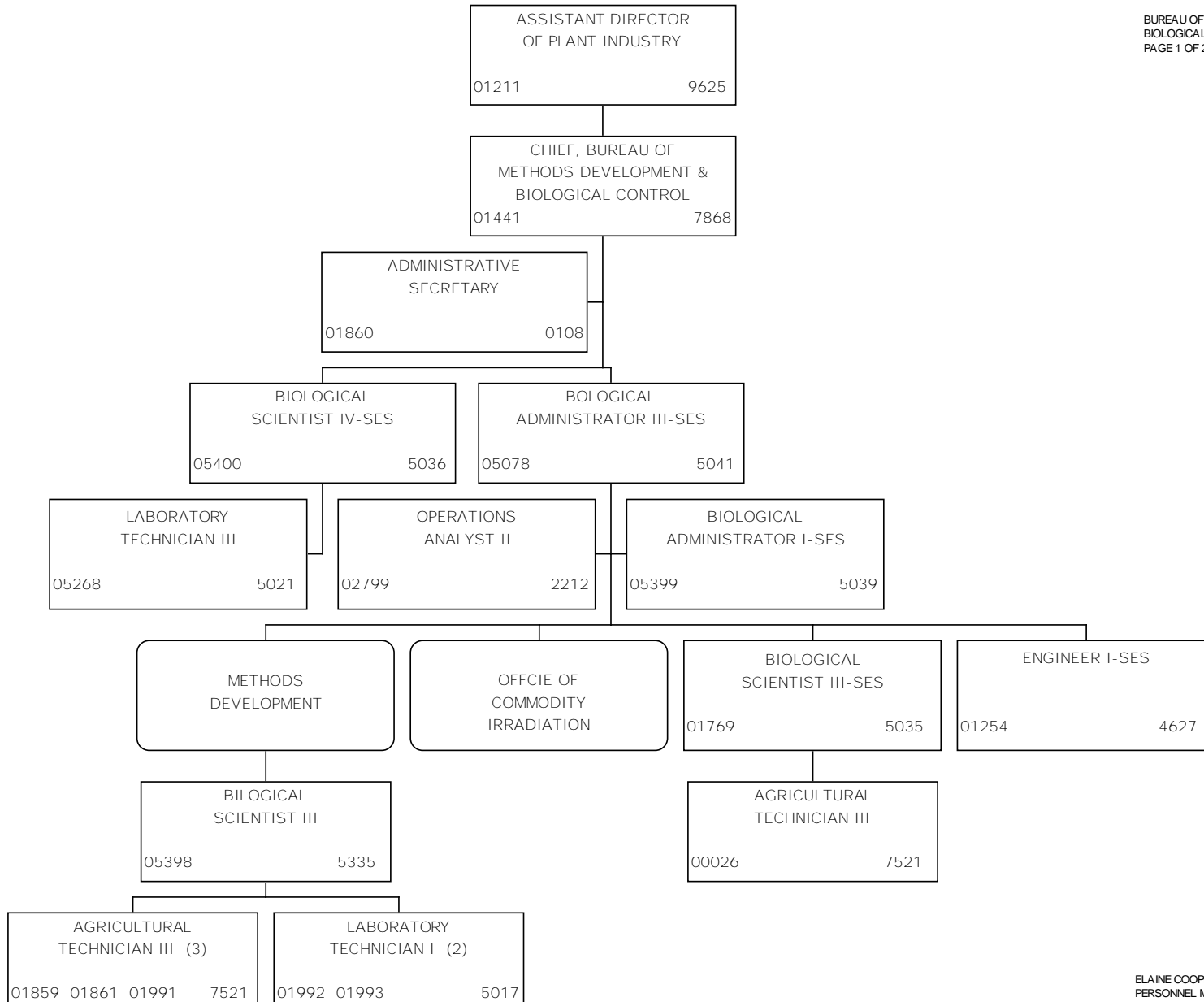


BUREAU OF PEST ERADICATION & CONTROL  
PAGE 4 OF 4

ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 04/18/2008

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DIVISION OF PLANT INDUSTRY

BUREAU OF METHODS DEVELOPMENT  
BIOLOGICAL CONTROL  
PAGE 1 OF 2



ELAINE COOPER, CHIEF OF  
PERSONNEL MANAGEMENT  
APPROVED DATE: 09/08/2006

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND		FISCAL YEAR 2007-08			
SECTION I: BUDGET		OPERATING		FIXED CAPITAL OUTLAY	
TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT		344,499,026		38,227,865	
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget Amendments, etc.)		25,149,784		4,255,449	
FINAL BUDGET FOR AGENCY		369,648,809		42,493,314	
SECTION II: ACTIVITIES * MEASURES		Number of Units	(1) Unit Cost	(2) Expenditures (Allocated)	(3) FCO
<i>Executive Direction, Administrative Support and Information Technology (2)</i>					
Register And Respond To Complaints Applicable To Motor Vehicle Repair Law * Number of motor vehicle repair shops licensed by the Division of Consumer Services	22,613	40.72	920,872		42,493,314
Register And Respond To Complaints Applicable To Solicitation Of Contribution Law * Number of solicitors of contributions licensed by the division	13,579	73.64	999,967		
Process "no Sales Solicitation Calls" Subscriptions * Number of "No Sales Solicitation Calls" subscriptions processed	99,281	8.50	844,083		
Register And Respond To Complaints Applicable To Sellers Of Travel Law * Number of sellers of travel licensed by the division	10,639	50.41	536,301		
Provide Lemon Law Assists To Consumers * Number of Lemon Laws assists made to consumers	17,565	40.22	706,540		
Register And Respond To Complaints Applicable To Health Studio Law * Number of health studios licensed by the division	1,907	121.07	230,885		
Register And Respond To Complaints Applicable To Pawn Shop Law * Number of pawn shops licensed by the division	1,122	207.08	232,347		
Register And Respond To Complaints Applicable To Telemarketing Law * Number of telemarketers licensed by the division	8,239	18.80	154,891		
Register And Respond To Complaints Applicable To Business Opportunity Law * Number of sellers of business opportunity licensed by the division	2,354	97.38	229,426		
Register And Respond To Complaints Applicable To Dance Studio Law * Number of dance studios licensed by the division	204	230.14	46,949		
Provide Assists To Consumers (call center) * Number of assists provided to consumers by the call center	470,161	2.91	1,368,222		
Enforce Consumer Protection Laws * Number of complaints investigated/processed by the division	40,489	24.95	1,010,118		
Provide Consumer Education To Public * Number of assists provided to consumers for consumer education	2,781,642	0.13	365,327		
Mediate (non-regulated) Consumer Complaints * Number of assists provided to consumers for non-regulated consumer complaints	18,655	15.59	290,785		
Register And Respond To Complaints Applicable To Game Promoters * Number of game promoters licensed by the division	3,273	93.76	306,875		
Register And Respond To Complaints Applicable To Intransite Moving Companies * Number of intransite moving companies licensed by the division	913	244.25	223,004		
State Forest Resource Management * The number of acres of State Forests managed by the Department	1,033,795	18.05	18,656,729		
Provide Technical Assists To Non-Industrial Forest Landowners * Number of hours spent providing forest-related technical assists to non-industrial private landowners	34,885	87.04	3,036,351		
Visitor Service / Recreation * The number of State Forest visitors served	834,466	4.25	3,549,819		
Capital Improvements * Number of hours spent on capital improvement projects	325,825	57.72	18,805,918		
Provide Land Management Assistance To Other Agencies * Number of hours spent providing forest-related technical assists to public land management agencies	9,037	46.51	420,346		
Supervise Workcamp Inmates * Number of inmate hours worked on Division of Forestry Programs	3,252	8.23	26,848,663		
Protect Acres Of Forest Land From Wildfires * Number of acres of forest land protected from wildfires	25,380,158	2.50	63,478,216		
Manage Forestry Youth Academy * Number of youths who fulfill Forestry Youth Academy training program	22	99,671.77	2,192,779		
Licensing * Number of license applications processed	24	361,410.17	8,673,844		
Public Inquiry * Number of inquiries responded to	209,782	4.06	852,259		
Compliance Section * Number of Administrative Actions	278	5,915.33	1,644,463		
Regional Offices * Number of investigations performed	27	144,750.19	3,906,255		
Inspect Pesticide Applicators And Dealers * Number of pesticide inspections conducted	4,885	572.09	2,783,223		
License Pesticide Applicators And Dealers * Number of pesticide applicators and dealers licensed	3,395	198.65	714,153		
Evaluate And Manage Pesticide Products * Number of pesticide ingredients evaluated	399	3,764.50	1,493,534		
Register Pesticide Products * Number of pesticide products registered	14,529	49.56	720,072		
Analyze Pesticide Products * Number of pesticide ingredient sample determinations made in the pesticide laboratory	100,480	15.55	1,562,716		
Inspect Pest Control Businesses And Applicators * Number of pest control businesses and applicators inspected	3,520	867.39	3,053,214		
License Pest Control Businesses And Applicators * Number of pest control businesses and applicators licensed	50,400	10.72	540,059		
Regulate Misquito Control Programs * Number of people served by misquito control activities	17,166,973	0.17	2,846,323		
Regulate Fertilizer Companies * Number of fertilizer inspections conducted	5,425	280.11	1,521,199		
Analyze Fertilizer Products * Number of fertilizer sample determinations	214,502	5.89	1,263,333		
Analyze Seed Companies * Number of official seed sample determinations performed	54,771	8.37	458,426		
Regulate Seed Companies * Number of seed inspections conducted	2,995	144.23	431,975		
License Feed Companies * Number of feed companies licensed	722	722.03	521,308		
Analyze Feed Products * Number of official feed samples collected by feed manufacturers and analyzed by certified labs for regulatory purposes	2,413	142.76	344,485		
Conduct Food Establishment Inspections * Number of inspections of food establishments and water vending machines	80,900	159.36	12,892,429		
Perform Analyses Of Food Samples * Number of food analyses conducted	43,958	18.43	814,363		
Perform Analyses For Chemical Residues And Pesticide Data * Number of chemical residue analyses conducted	218,880	16.47	3,604,202		
Perform Grade Evaluations On Poultry And Eggs * Tons of poultry and shell eggs graded	430,000	3.90	1,675,341		
Inspect Shellfish Processing Plants * Number of shellfish processing plants inspected	100	5,588.62	558,862		
Test Water Quality * Number of acres tested	1,445,033	1.25	1,801,086		
Administer Aquaculture Certification Program * Number of certifications issued to first-time applicants or renewed	959	817.09	783,585		
Administer Shellfish Lease Program * Number of leases verified for compliance	664	26.80	151,039		
Conduct Oyster Planting * Number of bushels of processed shell and live oysters deposited to restore habitat on public oyster reefs	497,689	3.29	1,628,283		
Agriculture State Law Enforcement - Commodity Interdiction * Number of vehicles inspected at agricultural interdiction stations	10,034,263	1.68	16,849,872		
Capture Bills Of Lading * Number of Bills of Lading transmitted to the Department of Revenue from Agricultural Interdiction Stations	57,472	9.0564	520,635		
Develop And Implement Best Management Practices (bmp) For Agricultural Industry * Number of acres in the Northern Everglades and Estuaries Protection Program area enrolled annually, through Notices of Intent, in Agricultural Water Policy Best Management Practices programs	90,910	76.65	6,968,538		
Assist Implementation Of 1999 Watershed Restoration Act * Number of acres in the Northern Everglades and Estuaries Protection Program area enrolled annually, through Notices of Intent, in Agricultural Water Policy Best Management Practices programs	145,692	15.63	2,289,424		
Develop Water Policy * Number of water policy assists provided to agricultural interests	357	39,172.00	13,994,403		
Assist Mobile Irrigation Laboratory Conservation Programs * Number of mobile irrigation labs assisted	2,900,000,000	0.00	693,074		
Conduct Petroleum Field Inspections * Number of petroleum field inspections conducted	255,000	17.25	4,399,435		
Analyze Petroleum Products * Number of Petroleum samples analyzed	10,000	18.03	1,802,951		
Conduct Weights And Measures Inspections * Number of weights and measures inspections conducted	67,621	41.04	2,774,868		
Conduct Meteorological Laboratory Tests * Number of physical measurement standards tests or calibrations performed	10,600	25.01	265,155		
Issue Liquefied Petroleum Gas Licenses * Number of LP gas licenses issued	12,014	51.74	621,559		
Conduct Liquefied Petroleum Gas Inspections * Number of LP gas facility inspections/inspections conducted	10,736	97.36	1,045,241		
Administer Liquefied Petroleum Gas Examinations * Number of LP gas examinations administered	1,186	186.09	219,826		
Conduct Amusement Ride Safety Inspections * Number of amusement ride safety inspections conducted	10,657	152.14	1,620,169		
Inspect Dairy Establishments And Collect Samples * Number of dairy establishment inspections and samples collected	9,459	136.00	1,295,824		
Perform Sample Analyses * Number of analyses conducted on Florida Milk Regulatory Program samples	47,147	10.25	483,291		
Inspect Dairy Tankers And Evaluate Bulk Milk Sample Collectors * Number of dairy tankers inspected and bulk milk sample collectors evaluated	1,503	41.25	61,993		
Conduct Florida Agriculture Promotion Campaign (Ipec) And Related Promotional Activities * Number of buyers reached with agricultural promotion campaign messages	12,742,153,082	0.00	7,141,051		
Provide Education & Communications * Number of media items produced for promotional and educational purposes	11,525	100.97	1,163,626		
Conduct State Farmers Market Program * Number of leased square feet at state farmers' markets	1,970,692	1.94	3,814,679		
Conduct Agriculture/Seafood/Aquaculture Assists * Number of marketing assists provided to producers and businesses	559,601	2.14	1,200,176		
Issue, Inspect And Renew Licenses And Bond Program * Number of agricultural dealer licenses issued	5,780	233.92	1,352,033		
Conduct Citrus Crop/Maturity Estimates For The Citrus Industry * Number of agricultural production observations conducted	1,090,619	2.25	2,453,683		
Conduct Market News Program * Number of market pricing information assists provided to agricultural producers and businesses	7,384	35.95	265,452		
Conduct Citrus Packing House And Processing Inspections * Number of lots of citrus inspected	8,957,709	0.85	7,599,810		
Conduct Shipping And Receiving Point Vegetable Inspections And Regulate Imports In Applicable Areas Upon Request * Number of tons of vegetables inspected	850,855	3.94	3,353,035		
Conduct Terminal Market Inspections Upon Request Of Shippers/Receivers * Number of lots of fruits and vegetables inspected	9,808,564	0.05	527,339		
Inspect Plants For Plant Pests, Disease Or Grade And Service Exotic Fruit Fly Traps * Number of plant inspections performed	798,965	29.09	23,243,049		
Disburse Tree Replacement Vouchers For Citrus Canker Program * Number of tree-replacement vouchers disbursed	25	516.81	12,670,444		
Disburse Checks To Citrus Canker Participants For The Tree Compens - Salton Program * Number of tree compensation checks disbursed	128	182.95	23,418		
Identify Plant Pests * Number of plant, soil, insect and other organism samples processed for identification or diagnosis	315,761	14.21	4,484,435		
Certify Citrus Fly-free * Number of acres trapped for carlby	578,103	2.58	1,493,369		
Develop Control Methods And Rear Biocontrol Agents * Number of bio-control agents reared	75,428,644	0.03	2,550,233		
Release Sterile Fruit Flies * Billions of sterile medflies released	4,000,000,000	0.00	944,593		
Inspect Citrus Trees For Crop Forecast And Pest Detection * Number of commercial acres surveyed for citrus pests or diseases	72,316	4.29	310,301		
Inspect Apiculturists * Number of honeybee inspections performed	58,507	20.41	1,193,992		
Register Citrus Budwood * Number of citrus budwood trees registered	8,922	89.11	795,039		
Certify Nurseries As Imported Fire Ant Free * Number of inspections conducted for imported fire ants	5,328	17.59	93,734		
Disburse Endangered Plant Grant Money To Qualified Applicants To Preserve Native Plants * Number of grant applications funded	3	83,333.33	250,000		
Prevent, Control And Eradicate Animal Diseases * Number of animals tested or vaccinated	573,877	7.96	4,566,951		
Conduct Animal-related Diagnostic Laboratory Procedures * Number of animal-related diagnostic laboratory procedures performed	417,802	10.03	4,188,927		
Inspect Livestock On Farms/Ranches For Sanitary/Humane Conditions * Number of animal site inspections performed	17,434	126.85	2,211,517		
Identify The Origin And Health Status Of Imported Animals * Number of animals covered by health certificates	29,760,510	0.02	649,139		
<b>TOTAL</b>			<b>313,384,399</b>		<b>42,493,314</b>
<b>SECTION III: RECONCILIATION TO BUDGET</b>					
<b>PASS THROUGHS</b>					
TRANSFER - STATE AGENCIES					
AID TO LOCAL GOVERNMENTS					
PAIDMENT OF PENSIONS, BENEFITS AND CLAIMS					
OTHER					4,000,000
REVERSIONS					27,563,899
					24,700,641
<b>TOTAL BUDGET FOR AGENCY (Total Activities + Pass Throughs + Reversions) - Should equal Section I above. (4)</b>			<b>369,648,939</b>		<b>42,493,314</b>

**SCHEDULE XI/EXHIBIT VI: AGENCY-LEVEL UNIT COST SUMMARY**

(1) Some activity unit costs may be overstated due to the allocation of double budgeted items.  
(2) Expenditures associated with Executive Direction, Administrative Support and Information Technology have been allocated based on FTE. Other allocation methodologies could result in significantly different unit costs per activity.  
(3) Information for FCO depicts amounts for current year appropriations only. Additional information and systems are needed to develop meaningful FCO unit costs.  
(4) Final budget for agency and total budget for agency may not equal due to rounding.



# Division of Licensing Exhibits or Schedules

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services      **Budget Period: 2009-10**  
**Program:** Licensing  
**Fund:** Licensing Trust Fund

**Specific Authority:** Chapter 493  
**Purpose of Fees Collected:** To fund the cost of administering the licensing and regulatory requirements of Chapter 493 (Security Agents, Private Investigators, and Recovery Agents).

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees Form - Part I and II.</b> )
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

<b><u>SECTION I - FEE COLLECTION</u></b>	<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
	<b>FY 2007 - 08</b>	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>
<u>Receipts:</u>			
<u>Agency New</u>	304,559	392,000	413,275
<u>Agency Renewal</u>	421,454	415,925	346,800
<u>"D" Renewal</u>	1,443,021	1,019,070	1,073,010
<u>"D" New</u>	1,551,175	1,646,670	1,728,450
<u>"G" Renewal</u>	615,699	468,200	534,508
<u>"G" New</u>	641,661	677,052	715,004
<u>Manager New</u>	28,407	30,000	31,425
<u>Manager Renewal</u>	55,155	43,200	49,650
<u>Recovery Agent New E/EE</u>	30,356	42,480	49,440
<u>Recovery Agent Renewal E/EE</u>	25,565	19,350	22,965
<u>P.I. New C/CC</u>	140,833	155,955	162,990
<u>P.I. Renewal C/CC</u>	264,149	194,790	229,695
<u>Application Fees 493</u>	245,477	237,550	254,000
<u>Class C Exam</u>	21,860	21,860	21,860
<u>Penalties Late Fees</u>	218,012	218,012	218,012
<u>PY Warrant/SVC Fees/Reimbursement</u>	7,537	7,537	7,537
<u>PIA Misc</u>	108,263	108,263	108,263
<u>Other Misc Fees - Copies</u>	5,427	5,428	5,428
<u>Fingerprint Fees</u>	1,754,943	1,757,398	1,848,987
<u>Fines</u>	162,860	162,860	162,860
<u>Interest</u>			
<u>Net Deferred Revenues</u>		327,984	(89,906)
<b>Total Fee Collection to Line (A) - Section III</b>	<b>8,046,413</b>	<b>7,951,584</b>	<b>7,894,253</b>

**SECTION II - FULL COSTS**

	<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
	<b>FY 2007 - 08</b>	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>
<b>Direct Costs:</b>			
Salaries and Benefits	3,835,464	3,701,949	3,701,949
Other Personal Services	188,585	157,805	131,504
Expenses	1,172,561	1,172,561	977,133
Operating Capital Outlay	14,841	14,841	12,368
Motor Vehicle	84,782	-	144,000
Risk/Contracted Services	1,927,973	1,975,135	1,848,987
Indirect Costs Charged to Trust Fund	818,049	923,300	1,065,689
<b>Total Full Costs to Line (B) - Section III</b>	<b>8,042,255</b>	<b>7,945,592</b>	<b>7,881,630</b>

Basis Used: FY 07-08 Cost Statements used. Administrative Overhead based on % of  
of total salaries.

**SECTION III - SUMMARY**

		<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
		<b>FY 2007 - 08</b>	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>
TOTAL SECTION I	(A)	8,046,413	7,951,584	7,894,253
TOTAL SECTION II	(B)	8,042,255	7,945,592	7,881,630
<b>TOTAL - Surplus/Deficit</b>	<b>(C)</b>	<b>4,158</b>	<b>5,992</b>	<b>12,623</b>

**EXPLANATION of LINE C:**

Based on revenue projections. A deficit is not projected for FY 08-09 and 09-10.

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## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture & Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Licensing – Chapter 493

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The Division implemented new technology for flatbed scanning “hard card” fingerprint cards and the electronic submission of an applicant’s fingerprints to the FDLE for state and national criminal history background checks. The result from an electronic fingerprint submission is received approximately 58 days faster than result from a “hard-card” fingerprint submission. Receiving the result electronically reduces processing time by precluding the need to open and sort the incoming mail and to scan and index the paper document into the Division’s Electronic Document Management System.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

Additional operational efficiencies planned are 1) streamlining of the license renewal process; and 2) automating criminal history-related denials, suspensions and revocations, which includes the creation of the required legal documents and the corresponding data entry for the license’s event history.

In addition to staff time savings, streamlining the license renewal process will provide a faster turnaround time for licensees submitting a renewal for security officer, private investigator and recovery agent licenses.

The automation of criminal history-related denials, suspensions and revocations will improve timeliness in initiating administrative actions and reduce the processing time to deny an application.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes, the Division promotes public protection through compliance and enforcement of laws, regulations, and professional standards for persons wishing

to be employed in the private investigative, private security or private recovery industries.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

Yes, they are prepared using generally accepted governmental accounting procedures.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes, the Division analyzes the fees being assessed for licenses on a regular basis. The fees were increased on January 1, 2006.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

Yes, the fee schedule was determined based on the type of license. For example, more time and resources are required to process an agency application and regulate the licensee than are required for an individual's application and license. Therefore, the license fee for a Security Agency, Private Investigative Agency, or Recovery Agency is more than the license fee for an individual licensed as a private security officer, private investigator, or private recovery agent.

Furthermore, fees cover costs to regulate an entity after a license is issued, which includes activities such as investigating public complaints concerning the service provided by a licensee; performing compliance inspections; and frequent monitoring of arrest records, domestic violence records, incarceration records and mental history records. Fees are also sufficient to cover costs associated with providing legislatively required pamphlets and reports to licensees and the public and to cover the dissemination of information and documents provided to employers and citizens inquiring about the status of licensees.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
- a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

N/A

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

N/A

## Examination of Regulatory Fees - Part II

Department: **Agriculture & Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Licensing - Chapter 493

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No

What percent of the regulatory cost is currently subsidized? (0 to 100%) 0%

If the program is subsidized from other state funds, what is the source(s)? Not subsidized

What is the current annual amount of the subsidy? \$ 0

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Chapter 493 Application Fee	LICENSING APPLICATION FEE-493	493.6105	\$60	1990	YES	\$50	Licensing Trust Fund
Chapter 493 Fingerprint Fee	LICENSING FINGERPRINT FEE	493.6105	N/A	N/A	YES	\$42	Licensing Trust Fund
Misc. Private Investigative	LICENSING PIA MISC	493.6107	\$30	1990	YES	\$15	Licensing Trust Fund
Private Investigative Agency License	LICENSING AGENCY NEW	493.6202	\$450	1990	YES	\$450	Licensing Trust Fund
Security Agency License	LICENSING AGENCY NEW	493.6302	\$450	1990	YES	\$450	Licensing Trust Fund
Recovery Agency License	LICENSING AGENCY NEW	493.6402	\$450	1990	YES	\$450	Licensing Trust Fund
Private Investigative Agency Branch License	LICENSING AGENCY NEW	493.6202	\$125	1990	YES	\$125	Licensing Trust Fund
Security Agency Branch License	LICENSING AGENCY NEW	493.6302	\$125	1990	YES	\$125	Licensing Trust Fund
Recovery Agency Branch License	LICENSING AGENCY NEW	493.6402	\$125	1990	YES	\$125	Licensing Trust Fund
Private Investigative Agency License Renewal	LICENSING AGENCY RENEWAL	493.6202	\$450	1990	YES	\$450	Licensing Trust Fund
Security Agency License Renewal	LICENSING AGENCY RENEWAL	493.6302	\$450	1990	YES	\$450	Licensing Trust Fund
Recovery Agency License Renewal	LICENSING AGENCY RENEWAL	493.6402	\$450	1990	YES	\$450	Licensing Trust Fund
Private Investigative Branch License Renewal	LICENSING AGENCY RENEWAL	493.6202	\$125	1990	YES	\$125	Licensing Trust Fund
Security Agency Branch License Renewal	LICENSING AGENCY RENEWAL	493.6302	\$125	1990	YES	\$125	Licensing Trust Fund
Recovery Agency Branch License Renewal	LICENSING AGENCY RENEWAL	493.6402	\$125	1990	YES	\$125	Licensing Trust Fund
Security Officer School/Security Officer Instructor Renewal	LICENSING D RENEWAL FEE	493.6302	\$60	1990	YES	\$60	Licensing Trust Fund
Security Officer License Renewal	LICENSING D RENEWAL FEE	493.6302	\$45	1990	YES	\$45	Licensing Trust Fund
Security Officer/Rec School, Security Officer/Rec Instructor Lic	LICENSING D NEW LICENSE	493.6302	\$60	1990	YES	\$60	Licensing Trust Fund
Security Officer License	LICENSING D NEW LICENSE	493.6302	\$45	1990	YES	\$45	Licensing Trust Fund
Statewide Firearm License Renewal	LICENSING G/K RENEWAL	493.6107	\$150	1990	YES	\$112	Licensing Trust Fund
Firearms Instructor License Renewal	LICENSING G/K RENEWAL	493.6107	\$100	1990	YES	\$100	Licensing Trust Fund
Statewide Firearm License	LICENSING G/K NEW LICENSE	493.6107	\$150	1990	YES	\$112	Licensing Trust Fund
Firearms Instructor License	LICENSING G/K NEW LICENSE	493.6107	\$100	1990	YES	\$100	Licensing Trust Fund
Manager-Private Inv, Security and Rec Agency License	LICENSING MANAGER NEW	493.6107	\$75	1990	YES	\$75	Licensing Trust Fund
Manager-Private Inv, Security and Rec Agency License Ren	LICENSING MANAGER RENEWAL	493.6107	\$75	1990	YES	\$75	Licensing Trust Fund
Recovery Agent License	LICENSING RECOVERY AGENT NEW E/EE	493.6402	\$75	1990	YES	\$75	Licensing Trust Fund
Recovery Agent Intern License	LICENSING RECOVERY AGENT NEW E/EE	493.6402	\$60	1990	YES	\$60	Licensing Trust Fund
Recovery Agent Renewal	LICENSING RECOVERY AGENT RENEWAL E/EE	493.6402	\$75	1990	YES	\$75	Licensing Trust Fund
Recovery Agent Intern License Renewal	LICENSING RECOVERY AGENT RENEWAL E/EE	493.6402	\$60	1990	YES	\$60	Licensing Trust Fund
Private Investigator License	LICENSING-PRIV.INVESTGTR.NEW C/CC	493.6202	\$75	1990	YES	\$75	Licensing Trust Fund
Private Investigator Intern License	LICENSING-PRIV.INVESTGTR.NEW C/CC	493.6202	\$60	1990	YES	\$60	Licensing Trust Fund
Private Investigator License Renewal	LICENSING-PRIV.INVESTGTR.RENEWAL C	493.6202	\$75	1990	YES	\$75	Licensing Trust Fund
Private Investigator Intern License Renewal	LICENSING-PRIV.INVESTGTR.RENEWAL C	493.6202	\$60	1990	YES	\$60	Licensing Trust Fund
Chapter 493 Late Fees	LICENSING LATE FEES	493.6113		1990	YES	Amount of License Fee	Licensing Trust Fund
Private Investigator Exam Fee	CLASS C EXAM FEE	493.6203	\$100	2008	YES	\$100	Licensing Trust Fund

# Division of Dairy Industry Exhibits or Schedules



**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Dairy  
**Fund(s):** General Revenue, Federal Grants Trust Fund, General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** 502.032, F.S. - Milkfat Tester's Permit and 503.041, F.S. - Frozen Dessert License

**Purpose of Fees Collected:** To offset direct and indirect costs resulting from the administration of the Dairy Regulatory Program.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
<u>Frozen Dessert Licenses</u>			16,100			16,500			16,500
<u>Milkfat Tester's Permits</u>			3,250			4,125			2,875
<u>Epidemiology Fees</u>						2,800			100
<u>Copy Fees</u>						15			15
<u>U.S. Grants-Domestic Security</u>		7,008							
<u>Refunds</u>			60						
<u> </u>									
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<u> </u>									
<b>Total Fee Collection to Line (A) - Section III</b>	-	7,008	19,410	-	-	23,440	-	-	19,490

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
Direct Costs:									
Salaries and Benefits	1,375,342			1,411,774			1,411,774		
Expenses	312,163	6,658	1,848	230,133		23,440	230,133		19,490
Contracted Services				26,000			26,000		
Operating Capital Outlay	71,000			10,500			10,500		
Data Processing	38,704		8,578	47,500			47,500		
General Revenue S/C			1,430						
Risk Management Insurance				6,012			6,012		
HR Costs				9,217			9,217		
Indirect Costs Charged to Trust Fund									
<b>Total Full Costs to Line (B) - Section III</b>	<b>1,797,209</b>	<b>6,658</b>	<b>11,856</b>	<b>1,741,136</b>	<b>-</b>	<b>23,440</b>	<b>1,741,136</b>	<b>-</b>	<b>19,490</b>

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
		GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
TOTAL SECTION I	(A)	-	7,008	19,410	-	-	23,440	-		19,490
TOTAL SECTION II	(B)	1,797,209	6,658	11,856	1,741,136	-	23,440	1,741,136	-	19,490
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(1,797,209)</b>	<b>350</b>	<b>7,554</b>	<b>(1,741,136)</b>	<b>-</b>	<b>-</b>	<b>(1,741,136)</b>	<b>-</b>	<b>-</b>

**EXPLANATION of LINE C:**

Expenditures in this document represent expenditures for the Division of Dairy Industry which include the Director's Office, the Bureau of Dairy Inspection and the Bureau of Dairy Compliance Monitoring. The activities of the Division are directly related to the regulation of the Dairy Industry in Florida under the requirements of Chapters 502 and 503, Florida Statutes. The primary beneficiary of these activities are the citizens of Florida (ensuring a safe and wholesome milk, milk product and frozen dessert supply) and the Florida Dairy Industry itself for being able to move their products in interstate commerce unimpeded by other states' regulations.

Charging fees to cover the total costs in the Division of Dairy Industry would put the Florida Dairy Industry at a disadvantage with the other states in the Southeast Region that Florida competes with. None of these states are fee-funded. Using the information from our Service Information Form (which provides unit costs for conducting inspections, collecting samples and analysis), we did some preliminary calculations for estimated fees for a farm and a large plant. For a farm, we would have to charge a minimum annual fee of \$3,800 per farm. Economic pressures have already reduced the number of farms from 189 to 147 from FY 03-04 to FY 07-08. A fee of this amount would add additional pressures and could cause more farms to go out of business. For a large plant, we would have to charge a minimum annual fee of \$45,300. A fee of this amount would put Florida plants at an economic disadvantage with other states in the Southeast Region.

While self-sufficiency is not feasible, a plan to establish fees for permits/licenses/certifications that are outlined in Chapters 502 and 503, F.S., and fees for situations requiring additional non-routine visits has been developed. Implementation of this plan would reduce the Division's reliance on funds from General Revenue. Using the numbers of active permits as of June 30, 2008, an estimated \$158,000 in revenues could be generated.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Dairy Regulatory Program

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The territories for inspectors underwent a recent analysis to determine if travel distances could be reduced. As a result, some of the territories have been adjusted. The new territories have not been in effect long enough to determine if there will be a cost reduction.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

The Division of Dairy Industry plans to submit a request for replacement vehicles for the 2010-2011 Fiscal Year. By June 30, 2010, ten of the Division's vehicles will meet the replacement criteria established by DMS. The new vehicles will be more fuel efficient and will not have any repair problems. The estimated cost reduction is approximately \$16,000 per year consisting of savings on repair bills and fuel costs. This reduction in costs would not be realized until 2010-2011 Fiscal Year.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. A primary mission of the Department is to safeguard the public health and to support Florida's agricultural economy by ensuring the safety and wholesomeness of food and other consumer products through inspection and testing programs; and protecting consumers from unfair and deceptive business practices and providing consumer information. The Division of Dairy Industry's statutory directive is to: through 502.013, F.S. - Ensure that milk and milk products sold or offered for sale in Florida are produced under sanitary conditions, are wholesome and fit for human consumption, are correctly labeled as to grade, quality and source of production; and to facilitate the shipment and acceptance of milk and milk products of high sanitary quality in interstate and intrastate commerce; and through 503.031, F.S. - Ensure that ice cream and frozen

desserts are made from safe, suitable ingredients and are palatable and properly labeled. The Dairy Regulatory Program accomplishes this through the inspection and sampling activities conducted on dairy establishments located in the state and products sold in the state. The regulation of milk, milk products, ice cream and frozen desserts safety is a basic tenet of public health principles. As the lead state agency for food safety, the Department has a responsibility to ensure the protection of Florida's residents and guests. A comprehensive regulatory program is an appropriate function towards achieving an acceptable level of protection.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

Revenue projections for Milk Fat Tester's permits and Frozen Dessert licenses are developed using historical revenue data and trend analysis involving actual and estimated dairy establishment counts.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

No. Regulatory fees are used to directly support the Dairy Regulatory Program. Revenues from the current fee schedule are inadequate to fully cover all direct and indirect costs associated with the maintenance of the current level of services provided. It is important to note that in addition to its regulatory component, the Dairy Regulatory Program is a public health program which benefits Florida citizens and our guests by protecting the consuming public from injury from unsafe milk, milk products, ice cream and frozen desserts regardless of their origin.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees were set by the legislature and do not take into account any differences between the businesses regulated. It is important to note that the current fee structure is for permit fees and not inspection fees.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The Dairy Regulatory Program operates under Chapters 502 and 503, Florida Statutes. Chapter 502 regulates milk and milk products and our purpose under Chapter 502 is to ensure that milk and milk products sold or offered for sale in Florida are produced under sanitary conditions, are wholesome and fit for human consumption, are correctly labeled as to grade, quality and source of production; and to facilitate the shipment and acceptance of milk and milk products of high sanitary quality in interstate and intrastate commerce. Chapter 503 regulates ice cream and frozen desserts and our purpose under Chapter 503 is to ensure that ice cream and frozen desserts are made from safe, suitable ingredients and are palatable and properly labeled. In carrying out the requirements of Chapters 502 and 503, the Dairy Regulatory Program protects the more than 90% of Florida citizens and our guests that eat or drink dairy products. It is appropriate that the Dairy Regulatory Program be supported by General Revenue to reflect the public health benefits of the program and its activities.

Charging fees to cover the total costs in the Division of Dairy Industry would put the Florida Dairy Industry at a disadvantage with the other states in the Southeast Region that Florida competes with, as none of these states are fee-funded. Florida is a member of the National Conference of Interstate Milk Shipments (NCIMS). NCIMS membership is maintained by strict adherence to the requirements of the Grade A Pasteurized Milk Ordinance (PMO). The

PMO sets inspection and product sampling frequencies for dairy farms and processing plants as well as standards for the analyses that are conducted on the product samples collected. Adherence to the requirements of the PMO ensures that the dairy products offered for sale to Florida residents and our guests are wholesome and fit for human consumption. It also allows for dairy products processed in Florida to be sold in interstate commerce and provides the ability for Florida processing plants to bid on federal, state and county contracts. Using the information from our Service Information Form (which provides unit costs for conducting inspections, collecting samples and analysis of those samples) and the inspection and sampling frequencies outlined in the PMO (allowances were made based on historical averages per farm/plant for inspections and sample collections), we did some preliminary calculations for estimated fees for a farm and a large milk processing plant. For a farm, we would have to charge a minimum annual fee of \$3,800 per farm. Economic pressures have reduced the number of farms by 21% in the last five years. A fee of this amount would add additional pressures. For a large milk processing plant, we would have to charge a minimum annual fee of \$45,300. A fee of this amount would put Florida plants at an economic disadvantage with other states in the Southeast Region.

Farm Calculations (farms have only one product and typically have one water source)

5 Inspections per year @ \$128.94 each	\$ 644.70
15 Product Samples (collect) per year @ \$128.94 each	\$1,934.10
60 Product Analyses (15 x 4) @ \$10.55 each	\$ 633.00
4 Water Samples (collect) per year @ \$128.94 each	\$ 515.76
4 Water Analyses (4 x 1) @ \$10.55 each	<u>\$ 42.20</u>
TOTAL for Farm	\$3,769.76

Plant Calculations (using a plant with 4 pasteurizers, 15 products in production and 4 cooling water sources)

5 Processing Inspections per year @ \$128.94 each	\$ 644.70
16 Pasteurizer Inspection per year @ \$128.94 each (4 pasteurizers x 4 inspections)	\$ 2,063.04
180 Product Samples (collect) per year @ \$128.94	\$23,209.20
1,620 Product Analyses (180 x 9) @ \$10.55 each	\$17,091.00
16 Water Samples (collect) per year @ \$128.94 each	\$ 2,063.04
16 Water Analyses (16 x 1) @ \$10.55 each	<u>\$ 168.80</u>
TOTAL for Plant	\$45,239.78

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

Currently 13 of our 15 permits/licenses/certifications listed in statute have no fee and implementing this will require a statute change. An additional fee for establishments whose inspection record and/or sampling record results in mandatory follow-up visits could be assessed. The following estimates were calculated using active permits as of June 30, 2008, and a review of establishment records in 2007-2008 Fiscal Year for repeated violations of inspection and/or sampling criteria.

Permit Type	# Active	Fee	Revenue
Milk Producer	147	\$100	\$ 14,700
Milk Plant			
In-State	19	\$275	\$ 5,225
Out-of-State*	103	\$275	\$ 14,163
Wash Station	8	\$100	\$ 800
Receiving Station	0	\$100	-
Transfer Station	0	\$100	-
Single Service	18	\$200	\$ 3,600
Manufacturing Plant	4	\$100	\$ 400
Milk Hauler/Sampler**	123	\$ 60	\$ 3,075
Milk Tanker***	1,375	\$ 70	\$ 96,250
Distributor	44	\$100	\$ 4,400
Certified Lab**	23	\$ 50	\$ 575
RVWL, WL & Cryo	178	\$ 70	\$ 12,460
Accelerated Sampling	16	\$200	\$ 3,200
<b>TOTAL</b>			<b>\$158,848</b>

\*Many out-of-state plants hold a permit even though they are not currently shipping into Florida. It is expected that 50% of the out-of-state plants will request their permit be cancelled if a fee is assessed.

\*\*Biennial Permits – only half paying in a given year.

\*\*\*The Milk Tanker fee will generate the most revenue; however, since Florida is a member of the National Conference of Interstate Milk Shipments, we are required to honor a reciprocal agreement to accept passing inspections from another member state. All 50 states are members at this time. This means a Milk Tanker could be inspected and permitted in another state that does not have a permit fee and we would be required to accept the permit. It is unknown how many Milk Tankers would be permitted in another state.

Milk Hauling Service and Milk Plant Operator are two permits listed in statute that are not being recommended for a fee. A Milk Hauling Service is not inspected – only the Milk Tankers that are owned by the Milk Hauling Service are inspected. A Milk Plant Operator is not evaluated – the Milk plant in which he works is inspected.

RVWL – Repeat Violation Warning Letter – Issued when same item is marked on two consecutive routine inspections.

WL – Warning Letter – Issued when a sample does not meet acceptable standards 2 out of the last 4 times.

Cryo – Cryoscope Violation – Test conducted on most samples. Violation of the standard indicates the presence of added water. A Hold Order is immediately placed on all product until an acceptable sample is obtained.

Accelerated Sampling – The next step after a WL. If the next sample does not meet acceptable standards then an immediate Hold Order is placed on all product until an acceptable sample is obtained. Samples are then collected on a weekly basis for a minimum of three weeks.

Florida is part of the FDA Southeast Region which includes AL, GA, LA, MS, NC, SC and TN. A recent poll of these states showed that only LA is currently charging any fees (\$90 for Milk Producer and \$300 for Milk Plant). Creating fees for all of our permits/licenses/certifications will put the Florida Dairy Industry at a disadvantage with the states in the FDA Southeast Region.





# Division of Food Safety Exhibits or Schedules

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Food Store Inspection Program/Food Lab  
**Fund(s):** General Revenue, Federal Grants Trust Fund, General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** Chapters 381, 500 and 570, F.S., Chapter 5K- F.A.C.

**Purpose of Fees Collected:** The fees collected shall be used solely for the purpose of the recovery of costs for the services provided by the Division as required by statute and F.A.C.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
<u>Food Permit Fees</u>			13,856,860			14,750,000			14,750,000
<u>Reinspection Fees</u>			157,562			155,000			155,000
<u>Late Filing Penalties</u>			181,134			160,000			160,000
<u>Administrative Fines</u>			660,908			750,000			750,000
<u>Plan Review Fees</u>			11,877			12,000			12,000
<u>U.S. Grants</u>		928,282			1,422,312			1,422,312	
<u>Certification Report Fees</u>			153,732			125,000			125,000
<u>Bottled Water Permits</u>			91,680			95,000			95,000
<u>Epidemiology Surcharge</u>			437,570			425,000			425,000
<u>Misc. Revenue (Refunds, Other)</u>		5,738	18,132		5,000	15,000		5,000	15,000
<u>FDA Contract Agreement</u>						306,000			306,000
<b>Total Fee Collection to Line (A) - Section III</b>	-	934,020	15,569,455	-	1,427,312	16,793,000	-	1,427,312	16,793,000

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
<u>Direct Costs:</u>									
Salaries and Benefits	276,193	520,167	9,512,917		715,000	10,000,000		715,000	10,000,000
Other Personal Services		66,773	12,011		125,000	20,000		125,000	20,000
Expenses	29,921	228,743	1,790,778		431,812	2,100,000	77,050	431,812	2,177,050
Operating Capital Outlay	14,791	195,862	127,874		50,000	60,800	133,000	50,000	163,750
Data Processing	58,588	5,854	386,923	60,000	7,500	400,000	60,000	7,500	400,000
General Revenue S/C			1,135,826			1,250,000			1,250,000
Refunds			17,389			20,000			20,000
Transfers-Epidemiology			393,831			400,000			400,000
Indirect Costs Charged to Trust Fund	331,614	36,482	1,979,114	350,000	98,000	2,000,000	350,000	98,000	2,000,000
<b>Total Full Costs to Line (B) - Section III</b>	<b>711,107</b>	<b>1,053,881</b>	<b>15,356,663</b>	<b>410,000</b>	<b>1,427,312</b>	<b>16,250,800</b>	<b>620,050</b>	<b>1,427,312</b>	<b>16,430,800</b>

Basis Used:

Indirect costs are based on percentage of total salary dollars by program. Allocated costs by category for FY 2008-09 and 09-10:

Division Director's Office- \$ 1,000,000; Administrative Overhead- \$ 1,000,000

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
		GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
TOTAL SECTION I	(A)	-	934,020	15,569,455		1,427,312	16,793,000		1,427,312	16,793,000
TOTAL SECTION II	(B)	711,107	1,053,881	15,356,663	410,000	1,427,312	16,250,800	620,050	1,427,312	16,430,800
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(711,107)</b>	<b>(119,861)</b>	<b>212,792</b>	<b>(410,000)</b>	<b>-</b>	<b>542,200</b>	<b>(620,050)</b>	<b>-</b>	<b>362,200</b>

**EXPLANATION of LINE C:**

In FY 02-03, the Division had approximately \$2.2 million in recurring General Revenue funding. During the GR budget cuts of FY 03-04, the Legislature shifted this \$2.2 million from GR to GITF. Recurring funding in GR was restored in FY 04-05 in the amount of approximately \$1.5 million for a net loss of approximately \$700,000. The overall GITF surplus in FY 07-08 in the Food Store Inspection Program was the result of an additional \$1,226,204 in Food Permit Fee revenues resulting from a rule change, effective January 1, 2008. Additionally, with the statutory increase in Chapter 500 of the fee cap to \$650, permit fee revenue is projected to increase by approximately \$900,000 in FY 08-09 and FY 09-10, however, a fund shift of \$400,000 from GR to GITF for 5 FTE and associated expenses for the Bureau of Food and Meat Inspection's Special Inspection Team reduces the overall surplus in both fiscal years. Also, anticipated expenditure amounts totalling \$360,000 (in GITF) for the D-3A LIMS issue are contained within the FY 09-10 figures. The remaining surplus will be used to cover the deficits in the Chemical Residue Program within this Division. It is also important to note that the FDA food inspection cooperative agreement for the Poultry and Egg Grading Program (revenue and expenditures each totalling \$306,000 for FY 08-09) has been moved from the FGTF to GITF in FY 08-09.

It is important to note that food establishment permit fees are not inspection fees, they are one-time annual fees regardless of the number of inspections performed per location. These fees support public health protection activities including laboratory analyses of foods produced outside of our state borders. In accordance with Chapter 500, F.S., all food products sold in Florida are regulated by this Department. However, most food processors or manufacturers are located in other states or countries where the Department has no permit or inspection authority. Benefits to the general public from this program include the availability of food products that are safe, wholesome, and properly labeled to prevent injury or harm, regardless of where they are produced or grown. Prevention of and response preparedness to terrorist which is becoming a significant component of this responsibility. Rapid identification and containment of contaminated food products are essential components of these efforts, and all Floridians reap the benefits of these capabilities. Because of the public health benefits gained from the activities in this Division program, it is appropriate and important to supplement these food regulatory activities with funding.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Food Store Inspection Program

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

While this is a well-automated program that is already functioning at a high level of efficiency, the Division of Food Safety has implemented several enhancements recently to improve services. Examples include:

- a. Broadband connectivity via use of wireless air-cards to facilitate maintenance of field technology through security updates, corrupt database replacement, installation of reference software, and remote assistance and training. Most field staff were previously connecting via DMS dial-up services which were significantly slower and incapable of handling the necessary updates, installations and maintenance.
  - b. Purchase and implementation of new field technology. Previous hardware and equipment was in its fourth year of service and experiencing rapidly increasing failures and lost service time. In the third year of service, there were 114 laptop failures. In this first year of the latest generation, there have only been 35 laptop failures.
  - c. Replacement of obsolete laboratory equipment. Rapid analysis is critical to laboratory efficiency and downtime from equipment failures increases costs significantly. Newer technology has been implemented which is faster and has a higher degree of accuracy. Food Laboratory total analyses conducted increased in FY 07-08 by over 33% from the previous fiscal year.
2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

The areas where further efficiencies could be achieved include:

- a. Update of inspection system to a format consistent with federal partners. This will help to reduce duplication of work effort from Division format to format specified in cooperative agreements (contracts) with federal agencies and allay potential loss of federal funds. We have recently been awarded a federal partnership grant that will help to fund this endeavor over the next three years.

- b. Development and installation of updated and consolidated Laboratory Information Management System (LIMS). Current systems are obsolete, no longer supported by the vendors or compatible with Department systems and are in jeopardy of imminent system failure. Migration to a new system will allow a significant increase in laboratory data storage capacity, improved data reliability and accessibility, and improved sample identification and tracking. A budget issue has been developed and forwarded for consideration.
3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

A primary mission of the Department of Agriculture and Consumer Services is to safeguard the public health and support Florida's agricultural economy by ensuring the safety and wholesomeness of food and other consumer products through inspection and testing programs, protecting consumers from unfair and deceptive business practices and providing consumer information. The Division of Food Safety's statutory directive to "safeguard the public health and promote the public welfare by protecting the consuming public from injury" serves that primary mission through its food safety inspection and laboratory activities.

The regulation of food safety is a basic tenet of public health principles. As the lead state agency for food safety, the Department of Agriculture and Consumer Services has a responsibility to ensure the protection of Florida's residents and guests and a comprehensive regulatory program is an appropriate function towards achieving an acceptable level of protection. With the emergence of possible threats to our food supply through "bioterrorism" and/or "agroterrorism", that responsibility has increased exponentially. As a result, the current level of responsibility is not only appropriate but should be further expanded and developed into new areas of expertise and accountability.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

Revenue projections by the Division of Food Safety are developed using historical revenue data, trend analysis involving actual and estimated firm counts, firm categories and associated fees, and the impact of current cooperative agreements in all bureaus, which involve participation with the federal government and private industry in generating revenues.

The permit fee cap was statutorily increased in 2008 from \$500 to \$650 and the Division is currently adopting a revised fee scale in the administrative code.

Permit fees will range from \$100 - \$650 based on firm categories (e.g. warehouse, supermarket, grocery store, etc.) which are developed using factors such as the type of activities conducted, number and complexity of the activities within that firm type/category, risks associated with the activity, the size of the firm, etc. Permit fees are adjusted to the extent practicable based on revenue projections, with consideration given to maintaining equity among firm categories.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Regulatory fees are used to directly support the Bureau of Food and Meat Inspection, the support services provided by the Bureau of Food Laboratories and appropriate administrative support functions. Effective January 1, 2009, a rule change regarding permit fees will be implemented to bring in an estimated \$1 million increase in revenues to the program.

It is important to note that in addition to its regulatory component, food safety is a public health program which benefits Florida citizens and our guests by protecting the consuming public from injury from unsafe food products, regardless of their origin. Food producers in other states and countries are not charged a permit fee, and are not regulated by this Department, though the products they sell here are regulated. Firms selling these products should not bear these costs; therefore, it is appropriate to reinstate General Revenue funds, which were historically a component of this program, to supplement the fees generated in support of this program.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

It is important to note that the food establishment permit fees are not inspection fees; these fees support public health protection activities including analyses of foods produced outside of state borders. As indicated above, the permit fees developed by the Division of Food Safety include consideration of the number of inspections conducted annually, as well as the time and manpower expended to regulate firms of differing sizes and operations. Supermarkets (\$650 annually) with multiple operations under one roof (deli, meat market, seafood counter, bakery, etc.) and which carry tens of thousands of different food products



obviously require a great deal of time and expertise to inspect, while a limited food sales operation (\$130 annually) may only require a relatively short amount of time. Other physically smaller operations, such as a seafood processor (\$520 annually) may require greater oversight due to the complex nature and risks associated with its operations.

In addition, the Division has instituted a re-inspection fee to compensate for the cost per service of conducting subsequent visits to firms that are not in compliance during the routine inspection. The current re-inspection fee for the Division is \$135 per re-inspection. This fee is also considered as a deterrent to poor sanitation and safety practices.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

While current fee increases have stabilized the food inspection program's fiscal status at this time, there is the anticipation that deficits will occur again in future years due to ongoing increases to program costs. A statutory change in Chapter 500, Florida Statutes, is needed on a periodic basis to raise the fee capacity proportionate with increasing program costs. A corresponding administrative rule change will have to occur to assess each firm category to determine the appropriate permit fee for each firm type and activity.

Clearly, all Floridians face potential adverse health impacts from poor sanitation in food establishment, and conversely, benefit from a program that reduces these risks. However, as indicated previously, the food safety program is not limited to the regulation of permitted food establishments, and funding of the program should not be limited to fees collected by the regulated businesses. Additional benefits to the general public from this program include the availability of food

products that are safe, wholesome, and properly labeled to prevent injury or harm, regardless of where they are produced or grown. Prevention of and response preparedness to terrorist actions which threaten the safety of the food supply is another public benefit which is becoming a significant component of this responsibility. Rapid identification and containment of contaminated food products are essential components of these efforts, and all Floridians reap the benefits of these capabilities.

It is appropriate and important that a portion of the activity to be supported by General Revenue to reflect the public health benefits of the Division's programs and activities. Future laboratory resources will also be needed to deal with new food types and analytes, improve methods for identification of pathogens, increase sensitivity of detection, and expand the current scope of testing.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

As stated above in #7, a statutory change in Chapter 500, Florida Statutes, is needed on a periodic basis to raise the fee capacity proportionate with increasing program costs.

## Schedule IA - Part II: Examination of Regulatory Fees

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Food Store Inspection

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No

What percent of the regulatory cost is currently subsidized? (0 to 100%) 4% General Revenue

If the program is subsidized from other state funds, what is the source(s)? General Revenue

What is the current annual amount of the subsidy? \$ 711,107 GR

Service/Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
FOOD SAFETY	Food Permit	500.12(1)(b)	\$650	2008	YES	\$100 - \$500*	General Inspection TF
	Bottled Water Plant	500.12(1)(b)	\$1,000	1992	YES	\$500	General Inspection TF
	Packaged Ice Plant	500.12(1)(b)	\$250	1992	YES	\$250	General Inspection TF
	Late Fee	500.12(1)(b)	\$100	1994	YES	\$100	General Inspection TF
	Water Vending	500.459	\$200	1992	YES	\$35	General Inspection TF
	Export Certificate	500.148	See Rule	2002	YES	\$15 Standard**	General Inspection TF
	Reinspection Fee	500.09(7)	Reasonable	2001	YES	\$110*	General Inspection TF
	Plan Review	500.12(2)	See Rule	1994	YES	\$55.10***	General Inspection TF
	Lab Fees	500.09(7)	Reasonable	1998	NO	Actual cost recovery	General Inspection TF
	Epidemiological Fees	381.006(10)	\$10	1992	NO	\$10****	Pass through DOH
	Administrative Fines	500.121	\$5,000	Pre-1985	NO	Variable	General Inspection TF
	Administrative Fines	500.121(2)	\$10,000*****	1997	NO	Variable	General Inspection TF

\*Food Permit / reinspection fee currently under rule revision. Anticipated max of \$650 permit fee and \$135 reinspection fee to be effective January 1, 2009.

\*\*\$20 per 1/2 hour if non-standard certificate is requested (see 5K-4.026 F.A.C.)

\*\*\*\$55.10 (1st hour and application fee); additional work at \$30.10 per hour (see 5K-4.004(9) F.A.C.)

\*\*\*\*Collected for Department of Health / \$10 per each permit.

\*\*\*\*\*Country of origin labeling. Authority preempted back to USDA effective 9/30/2008.

Division of Agricultural  
Environmental Services  
Exhibits or Schedules

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Feed Regulation  
**Fund(s):** General Revenue, Federal Grants Trust Fund, General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** 580.041(1), 580.065

**Purpose of Fees Collected:** To ensure that Florida consumers receive feed products that conform to the Commercial Feed Law and to provide uniform regulation to feed producers and distributors.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
Receipts:									
<u>U.S. Grants</u>		328,765			239,888			239,888	
<u>Feed Deficiency Penalties</u>			4,524			7,584			7,584
<u>Feed Master Registration</u>			333,157			437,645			437,645
<u>Feed Lab Certification</u>			4,900			4,900			4,900
<u>Administrative Fines</u>			56,367			56,637			56,637
<u>Misc. - Other</u>									
<u> </u>									
<u> </u>									
<u> </u>									
<u> </u>									
<u> </u>									
<b>Total Fee Collection to Line (A) - Section III</b>	-	328,765	398,948	-	239,888	506,766	-	239,888	506,766

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
Direct Costs:									
Salaries and Benefits	21,732		73,519	88,980		68,530	88,980		68,530
Other Personal Services		67,423			124,800			124,800	
Expenses		110,804	8,488		54,000	11,018		54,000	11,018
Contracted Services	293	14,026	1,588	1,152	36,088	1,536	1,152	36,088	1,536
Operating Capital Outlay		126,921			25,000			25,000	
Data Processing	758		2,115	758		1,834	758		1,834
General Revenue S/C			28,668			36,994			36,994
Field Inspection	2,854		243,986	17,433		232,894	17,433		232,894
Refunds			125			125			125
Indirect Costs Charged to Trust Fund	12,452		117,597	12,452		117,597	12,452		117,597
<b>Total Full Costs to Line (B) - Section III</b>	<b>38,089</b>	<b>319,174</b>	<b>476,084</b>	<b>120,775</b>	<b>239,888</b>	<b>470,529</b>	<b>120,775</b>	<b>239,888</b>	<b>470,529</b>

Basis Used: Indirect costs are based on percentage of total salary dollars by program

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
		GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
TOTAL SECTION I	(A)	-	328,765	398,948		239,888	506,766		239,888	506,766
TOTAL SECTION II	(B)	38,089	319,174	476,084	120,775	239,888	470,529	120,775	239,888	470,529
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(38,089)</b>	<b>9,591</b>	<b>(77,136)</b>	<b>(120,775)</b>	<b>-</b>	<b>36,237</b>	<b>(120,775)</b>	<b>-</b>	<b>36,237</b>

**EXPLANATION of LINE C:**

General Revenue (GR) is appropriated annually by the Legislature to support this regulatory activity. Use of General Revenue and General Inspection Trust Funds to support this program is justified by the benefits provided by the regulatory program. The Division feels that GR funds to support this program is warranted because the regulation of feed is essential to the continued economically viable production of livestock and protection of the health of companion animals. Feed regulation is needed to ensure that feed meets quality standards and is free from contaminants and that feed products are labeled in accordance with state and federal regulations and contain necessary feeding directions and precautionary statements for the protection of animal health.

A critically important part of the program is the monitoring of feed for prohibited proteins that are strictly regulated to prevent the transmission of the disease agent for bovine spongiform encephalopathy (BSE) or mad cow disease. Fees for this program were increased in 2008 by Florida Statute.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Feed Regulation

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The Division constantly strives for operational efficiency. We currently are implementing a more efficient Laboratory Information Management System (LIMS), which will automate laboratory processes, and provide stakeholders, via the Internet, real-time program and laboratory information. We have implemented a risk-based inspection strategy which has reduced costs for field inspections allocated to this program by \$23,287 from FY 06-07 to FY 07-08.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

Continued refinements in risk-based enforcement strategies are anticipated to reduce field inspection costs by an additional \$11,091 in FY 08-09.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

The regulation of feed is essential to the continued economically viable production of livestock and protection of the health of companion animals. Feed regulation is needed to ensure that feed meets quality standards and is free from contaminants. A critically important part of the program is the monitoring of feed for prohibited proteins that are strictly regulated to prevent the transmission of the disease agent for bovine spongiform encephalopathy (BSE) or mad cow disease.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The fees charged are set in statute or rule.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

As a result of a fee increase enacted by the 2008 Legislature, we are projecting that the fees charged will cover both direct and indirect costs to the General Inspection Trust Fund portion of the program area for FY 08-09.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged are set in statute or rule.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

Fees charged are adequate to cover direct and indirect costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.



We believe that a state subsidy for this regulatory program is appropriate since it provides a public benefit. Elimination of the General Revenue portion of this program would require fee increases on the order of 24%.



**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Fertilizer Regulation  
**Fund(s):** General Revenue, General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** 576.021, 576.041, 576.045, 576.051(2)

**Purpose of Fees Collected:** To ensure that Florida consumers receive fertilizer products that conform to the Commercial Fertilizer Law, to provide uniform regulation to fertilizer producers and distributors and to provide environmental protection from heavy metal contaminants in fertilizers.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
<u>Receipts:</u>						
<u>Fertilizer Dealer Licenses</u>		53,400		50,900		51,000
<u>Fertilizer Reporting Fees</u>		1,357,613		1,957,333		1,975,000
<u>Lime Reporting Fees</u>		165,333		178,136		185,000
<u>Phosphate Reporting Fees</u>		5,623		8,819		8,900
<u>Specialty Fertilizer Registration</u>		111,628		103,850		104,500
<u>Commercial Sampling</u>		10,739		10,739		10,739
<u>Penalties</u>		123,562		132,562		132,562
<u>Administrative Fines</u>		25				
<u>Misc.</u>						
<u>Fees - Fert., Lime &amp; Phosp. Rate Shortages</u>						
<u>Total Fee Collection to Line (A) - Section III</u>	-	1,827,922	-	2,442,339	-	2,467,701

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
<u>Direct Costs:</u>						
<u>Salaries and Benefits</u>	420,846	612,125	642,147	694,553	642,147	694,553
<u>Other Personal Services</u>						
<u>Expenses</u>	32,805	74,382	31,111	89,995	31,111	89,995
<u>Contracted Services</u>	13,518	31,273	12,480	9,600	12,480	9,600
<u>Operating Capital Outlay</u>	101,339					
<u>Data Processing</u>	7,339	27,837	7,511	29,575	7,511	29,575
<u>General Revenue S/C</u>		131,869		178,291		180,142
<u>Refunds</u>		46,293				
<u>Field Inspection</u>	7,135	609,965		582,236		582,236
<u>Indirect Costs Charged to Trust Fund</u>	115,909	497,767	115,909	497,767	115,909	497,767
<b>Total Full Costs to Line (B) - Section III</b>	<b>698,891</b>	<b>2,031,511</b>	<b>809,158</b>	<b>2,082,017</b>	<b>809,158</b>	<b>2,083,868</b>

**Basis Used:** Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	1,827,922		2,442,339		2,467,701
TOTAL SECTION II	(B)	698,891	2,031,511	809,158	2,082,017	809,158	2,083,868
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(698,891)</b>	<b>(203,589)</b>	<b>(809,158)</b>	<b>360,322</b>	<b>(809,158)</b>	<b>383,833</b>

**EXPLANATION of LINE C:**

General Revenue is appropriated annually by the Legislature to support this regulatory activity. Use of General Revenue and General Inspection Trust Funds to support this program is justified by the benefits provided by the regulatory program. The Division feels that GR funds to support this program are warranted because the regulation of fertilizers is essential to the continued use of fertilizers needed for food and fiber production and landscape management.

Fees for this program were increased in 2008. We are proposing a fund shift of \$280,066 from GR to GITF in the FY 2008-09 4% Holdback exercise.



## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Fertilizer Regulation

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The Division constantly strives for operational efficiency. Antiquated and inefficient analytical methods and equipment have been replaced with current methodologies and modern, automated equipment. We have implemented a risk-based inspection strategy that has reduced the number of samples collected (4,856 in FY 07-08 compared to 6,478 in FY 06-07) and the number of sample analyses, while increasing the number of fertilizer enforcement actions from 4 in FY 06-07 to 49 in FY 07-08. Costs for expenses and field inspections allocated to this program in FY 07-08 were reduced by \$58,216 from FY 06-07.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

We will continue to refine the risk-based regulatory program. We anticipate reduced costs of \$27,729 in the field inspection costs allocated to this program based on projections.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

The regulation of fertilizers is essential to the continued use of fertilizers needed for food and fiber production and landscape management. Fertilizer regulation is needed to ensure that guaranteed amounts of nutrients are present in fertilizers and that contaminants, such as heavy metals from recycled hazardous waste, are not present. The regulation of fertilizers used in urban landscapes has become increasingly important as concerns have arisen regarding the impact of fertilizer use on water quality in coastal areas.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally

The fees charged are set in statute or rule.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

As a result of a fee increase enacted by the 2008 Legislature, we are projecting that the fees charged will cover both direct and indirect costs to the General Inspection Trust Fund portion of the program area for FY 08-09.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged are set in statute or rule.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

Fees charged are adequate to cover direct and indirect costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

We believe that a state subsidy for this regulatory program is appropriate since it provides a public benefit. Elimination of the General Revenue portion of this program would require fee increases on the order of 34%.



**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Pest Control  
**Fund(s):** General Revenue, Federal Grants Trust Fund, Pest Control Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** 482.032, 482.061, 482.071, 482.155, 482.156

**Purpose of Fees Collected:** To ensure that Florida consumers receive pest control services that conform to the Florida Structural Pest Control Act and to provide uniform regulation to pest control licensees.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	PCTF	GR	FGTF	PCTF	GR	FGTF	PCTF
<u>Exam Fees</u>			512,670			565,170			617,670
<u>Prior Notification Fees</u>			1,170			1,170			1,170
<u>Emergency Certification Fees</u>			25,230			25,230			25,230
<u>Pest Control Licenses</u>			2,539,012			2,629,012			2,719,012
<u>Special Handling Fees</u>			6,750			6,750			6,750
<u>Late Penalties</u>			67,838			67,010			67,010
<u>Administrative Fines</u>			134,375			134,375			134,375
<u>Interest on Investments</u>			18,541			18,541			18,541
<u>Misc. Penalties</u>									
<u>Misc. - Other/ Refunds</u>			4,682			4,572			4,572
<b>Total Fee Collection to Line (A) - Section III</b>		-	3,310,268	-	-	3,451,830	-	-	3,594,330

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	PCTF	GR	FGTF	PCTF	GR	FGTF	PCTF
Direct Costs:									
Salaries and Benefits			2,456,564			2,646,323	296,864		2,788,823
Other Personal Services			24,199			21,530			21,530
Expenses	67,382		229,078	57,000		361,033	65,778		361,033
Contracted Services	14,856		131,729	14,400		102,168	14,400		102,168
Operating Capital Outlay	7,074								
Data Processing	15,944		53,371	15,000		53,370	15,000		53,370
General Revenue S/C									
Assessment on Investments			402						
Refunds			6,732						
Indirect Costs Charged to Trust Fund			267,406			267,406			267,406
<b>Total Full Costs to Line (B) - Section III</b>	<b>105,256</b>	<b>-</b>	<b>3,169,481</b>	<b>86,400</b>	<b>-</b>	<b>3,451,830</b>	<b>392,042</b>	<b>-</b>	<b>3,594,330</b>

Basis Used: Indirect costs are based on percentage of total salary dollars by program

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
		GR	FGTF	PCTF	GR	FGTF	PCTF	GR	FGTF	PCTF
TOTAL SECTION I	(A)		-	3,310,268	-	-	3,451,830		-	3,594,330
TOTAL SECTION II	(B)	105,256	-	3,169,481	86,400	-	3,451,830	392,042	-	3,594,330
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(105,256)</b>	<b>-</b>	<b>140,787</b>	<b>(86,400)</b>	<b>-</b>	<b>-</b>	<b>(392,042)</b>	<b>-</b>	<b>-</b>

**EXPLANATION of LINE C:**

General Revenue is appropriated annually by the Legislature to support this regulatory activity and by funds collected from the industry and deposited into the Pest Control Trust Fund, in addition to a small amount from a federal grant. Use of General Revenue to support this program is justified by the benefits provided by the regulatory program. The Division feels that General Revenue funds to support this program are warranted because the regulation of pest control is absolutely essential to the continued provision of pest management services that protect public health and private property. Without effective regulation, the potential exists for fraudulent or unsafe practices of pest control that will endanger public health and private property.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Pest Control Regulation

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The Division constantly strives for operational efficiency. The Pest Control Regulatory Program has been growing to accommodate a growing industry and population, while maintaining or improving unit costs. The number of inspections has grown from 2,228 in FY 00-01 to a high of 5,639 in FY 04-05. A risk-based enforcement strategy has been implemented, resulting in fewer inspections that are conducted more in-depth and that focus on areas with the greatest risk of non-compliance, resulting in a number of inspections and complaint responses of 3,520 in FY 07-08. Over that time, the unit costs for these inspections have declined from \$754.15 in FY 00-01 to \$718.96 in FY 07-08. The number of licenses (business licenses, operators certificates, limited certificates, identification cards, and special identification cards) increased from 46,548 to 54,176, while the unit cost decreased from \$7.36/license to \$6.98/license.

Efforts to increase efficiencies in this program area include:

- Reducing the number of field offices from ten to four.
  - Implementation of a document imaging system to reduce file storage space, and therefore, leased office space.
  - Implementation of electronic mail notification of licensees for legally required notices to reduce mail-out costs to save approximately \$30,000 per year.
2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

The risk-based enforcement strategy will continue to be refined. We have not completed an estimate of potential savings.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

The regulation of pest control is absolutely essential to the continued provision of pest management services that protect public health and private property. Without effective regulation, the potential exists for fraudulent or unsafe practice of pest control that will endanger public health and private property.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The fees charged are set in statute or rule.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

The fees charged covered all direct and indirect charges to the Pest Control Trust Fund for FY 07-08 and are projected to cover 94% of the combined direct and indirect costs projected for FY 08-09 and FY 09-10.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged are set in statute or rule.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient

The regulation of pest control provides substantial public benefits well in excess of the amount of public funds expended. These benefits include:

- Prevention of misuse of pesticides by untrained or unsupervised pest control applicators, thereby preventing harm to human health, public and private property and the environment.
- Prevention of poor performance of pest control by unlicensed or untrained and unsupervised persons.
- Prevention of misleading and deceptive practices in the conduct of pest control.
- Enforcement of requirements for protection contracts for performance of wood destroying organism pest control.

The pest control industry in Florida provides services worth over \$ 1.4 billion <sup>1</sup>. One important component of pest control in Florida is protection against wood-destroying organisms. Costs for subterranean termite control and repair alone are estimated to be \$484,000,000 based on a 2000 survey of Florida homeowners<sup>2</sup>.

A critical benefit of pest control is protection of public health through the control of disease carrying flies, roaches, and rodents. Given the large amount of public benefit, the most appropriate way to cover program costs is a combination of reasonable fees plus partial subsidy from other state funds.

References:

1 - National Pest Management Association, email from Cindy Mannes, 9/20/06.

2. - A Survey of Florida Homeowners Regarding Termite Infestation, January, 2001  
Michael J. Scicchitano and Tracy L. Johns, Shimberg Center, Policy and Management Research,  
University of Florida , Gainesville, Florida.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

We believe that a state subsidy for this regulatory program is appropriate since it provides a public benefit. Elimination of the General Revenue portion of this program would require fee increases on the order of 3%.

## Examination of Regulatory Fees - Part II

Department: **Agriculture & Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Pest Control

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No, Ch. 482, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 3% GR

If the program is subsidized from other state funds, what is the source(s)? General Revenue

What is the current annual amount of the subsidy? \$105,256 GR

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Pest Control	Pest Control License - Initial fee	482.071(2)(b) 5E-14.142(5)(h)	\$300	1992	Yes	\$250	Pest Control Trust Fund
Pest Control	Pest Control License - Renewal fee (annual)	482.071(2)(b) 5E-14.142(5)(i)	\$300	1992	Yes	\$250	Pest Control Trust Fund
Pest Control	Pest Control License - Change of Business Location Address fee	482.071(2)(d)	\$25	1992	No	\$25	Pest Control Trust Fund
Pest Control	Pest Control License - Change of Business Name fee	482.071(2)(d)	\$25	1992	No	\$25	Pest Control Trust Fund
Pest Control	Pest Control License - Change of Business Ownership fee	482.071(2)(a) 5E-14.142(5)(h)	\$300	1992	Yes	\$250	Pest Control Trust Fund
Pest Control	Pest Control License - Late License Renewal fee	482.071(2)(b)	\$50	1992	No	\$50	Pest Control Trust Fund
Pest Control	Pest Control License - Expedite fee	482.071(2)(f) 5E-14.142(5)(h)	\$50	1992	Yes	\$50	Pest Control Trust Fund
Pest Control	Pest Control Employee ID Card - Initial fee	482.091(1)(b), (5)	\$10	1992	No	\$10	Pest Control Trust Fund
Pest Control	Pest Control Employee ID Card - Renewal fee (annual)	482.091(4),(5)	\$10	1992	No	\$10	Pest Control Trust Fund
Pest Control	Pest Control Employee ID Card - Change of Business Location, Name or Ownership fee	482.091(4),(5)	\$10	1992	No	\$10	Pest Control Trust Fund
Pest Control	Pest Control Operator Certificate - Issuance fee	482.111(1),(7) 5E-14.132(3)	\$150	1992	Yes	\$150	Pest Control Trust Fund
Pest Control	Pest Control Operator Certificate - Renewal fee (annual)	482.111(3), (7) 5E-14.132(3)	\$150	1992	Yes	\$150	Pest Control Trust Fund
Pest Control	Pest Control Operator Certificate - Late fees	482.111(1), (3) 5E-14.132(1), (2)	\$50	1992	Yes	\$50	Pest Control Trust Fund
Pest Control	Emergency Certificate - Initial fee (30 day)	482.111(9)	\$50	1992	No	\$50	Pest Control Trust Fund
Pest Control	Emergency Certificate - Additional Periods fee (30 day)	482.111(9)	\$50	1992	No	\$50	Pest Control Trust Fund
Pest Control	Special ID Card - Initial fee	482.151(5) 5E-14.136(2)	\$100	1992	Yes	\$100	Pest Control Trust Fund
Pest Control	Special ID Card - Renewal fee (annual)	482.151(6) 5E-14.136(3)	\$100	1992	Yes	\$100	Pest Control Trust Fund
Pest Control	Special ID Card - Late fees	482.151(5),(6) 5E-14.136(2),(3)	\$25	1992	No	\$25	Pest Control Trust Fund
Pest Control	Examination Fees - Certified Operator Initial	482.141(2) 5E-14.123(4)	\$300	1992	Yes	\$225	Pest Control Trust Fund
Pest Control	Examination Fees - Special ID Initial	482.151(4) 5E-14.123(5)	\$200	1992	Yes	\$200	Pest Control Trust Fund
Pest Control	Optional CEU Certificate Renewal by Examination fee	482.111(10)(c)	\$300	1992	Yes	\$225	Pest Control Trust Fund
Pest Control	Limited Gov't Private Exam and Issuance fee (4 yr license)	482.155(1)(b) 5E-14.117(17)	\$150	1992	Yes	\$150	Pest Control Trust Fund
Pest Control	Limited Gov't Private Certificate Renewal	482.155(1)(b) 5E-14.117(17)	\$25	1992	Yes	\$25	Pest Control Trust Fund
Pest Control	Limited Commercial Lawn Maintenance Exam and Issuance fee (annual)	482.156(2)(a) 5E-14.117(11)	\$150	1992	Yes	\$150	Pest Control Trust Fund
Pest Control	Limited Commercial Lawn Maintenance Certificate Renewal	482.156(3) 5E-14.117(11)(b)(5)	\$75	1992	Yes	\$75	Pest Control Trust Fund
Pest Control	Limited Commercial Lawn Maintenance Late fee	482.156(3)	\$50	1992	No	\$50	Pest Control Trust Fund
Pest Control	Prior Notification Registry - Initial	482.2267(1)	\$50	1992	No	\$50	Pest Control Trust Fund
Pest Control	Prior Notification Registry - Annual Renewal	482.2267(3)	\$10	1992	No	\$10	Pest Control Trust Fund
Pest Control	Service Charge - Returned Checks		\$15	1992	No	\$15	Pest Control Trust Fund

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Pesticide Regulation  
**Fund(s):** General Revenue, Federal Grants Trust Fund, General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** 487.04, 487.041, 487.045, 487.048, 487.071

**Purpose of Fees Collected:** To ensure that pesticides are distributed and used in Florida in accordance with the Florida Pesticide Law and to provide uniform regulation to pesticide users.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
<u>U. S. Grants</u>		700,497			907,516			907,516	
<u>Pesticide Dealer's License</u>			67,025			112,500			118,250
<u>Pesticide Applicator's License</u>			343,496			493,350			517,954
<u>Pesticide Registration</u>			3,695,265			4,948,941			5,123,941
<u>Misc - Penalties</u>			59,870			500			500
<u>Administrative Fines</u>			65,850			65,850			65,850
<u>Misc. - Other</u>			614			614			614
<u>Refunds</u>			219						
<b>Total Fee Collection to Line (A) - Section III</b>	-	700,497	4,232,339	-	907,516	5,621,755	-	907,516	5,827,109

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
Direct Costs:									
Salaries and Benefits	849,095	257,903	1,660,750	1,158,792	132,876	1,822,568	1,158,792	132,876	1,822,568
Other Personal Services		4,549			10,000			10,000	
Expenses	125,874	116,432	14,649	125,876	170,000	45,228	125,876	170,000	45,228
Contracted Services	32,835	161,063	29,098	32,835	201,500		32,835	201,500	
Operating Capital Outlay	83,311	122,315		86,819	41,000		86,819	41,000	
Data Processing	1,127		73,612	1,131		73,731	1,131		73,731
Transfers		90,257			100,000			100,000	
General Revenue S/C			246,864			771,661			425,379
Field Inspection	11,653		808,976	71,184		772,200	71,184		772,200
Refunds			7,150						
Indirect Costs Charged to Trust Fund	242,889	32,829	986,480	242,889	32,829	986,480	242,889	32,829	986,480
<b>Total Full Costs to Line (B) - Section III</b>	<b>1,346,785</b>	<b>785,347</b>	<b>3,827,578</b>	<b>1,719,526</b>	<b>688,205</b>	<b>4,471,867</b>	<b>1,719,526</b>	<b>688,205</b>	<b>4,125,585</b>

Basis Used: Indirect costs are based on percentage of total salary dollars by program



**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
		GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
TOTAL SECTION I	(A)	-	700,497	4,232,339		907,516	5,621,755		907,516	5,827,109
TOTAL SECTION II	(B)	1,346,785	785,347	3,827,578	1,719,526	688,205	4,471,867	1,719,526	688,205	4,125,585
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(1,346,785)</b>	<b>(84,851)</b>	<b>404,761</b>	<b>(1,719,526)</b>	<b>219,311</b>	<b>1,149,888</b>	<b>(1,719,526)</b>	<b>219,311</b>	<b>1,701,524</b>

**EXPLANATION of LINE C:**

General Revenue is appropriated annually by the Legislature to support this regulatory activity and by funds used by the Department from the General Inspection Trust Fund. Use of General Revenue and General Inspection Trust Funds to support this program is justified by the benefits provided by the regulatory program. The Division feels that GR funds to support this program are warranted because the regulation of pesticides and pesticide use is absolutely essential to the continued use of pesticides needed for food and fiber production, pest management, protection of public health, protection of private property, protection from aquatic weed accumulation in waterways used for flood control, and landscape management.

Pesticide regulation is needed to ensure that pesticides are used in ways that protect public health, agricultural workers, environmental resources, and water quality. Pesticide regulation is also needed to protect Florida's industries, including agriculture and tourism, the state's two largest industries. Fees for this program were increased in 2008 by Florida Statute.

The surplus in revenues over expenditures is used to cover the deficits in Seed Regulation and the Worker Safety Program. Additionally, a fund shift of \$200,000 from GR to GITF has been proposed for FY 2009-10.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Pesticide Regulation

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The Division has implemented a risk-based enforcement program that focuses resources on areas at the highest risk of non-compliance. Costs for field inspection allocated to this program area were reduced by \$79,210 between FY 06-07 and FY 07-08 and are projected to be reduced another \$36,776 for FY 08-09 (based on allocations).

We have also implemented an Oracle-based, web-accessible registration system that has allowed the reduction of one staff position, while improving tracking of over 13,000 registered pesticides and have implemented a biennial registration program (to begin in January 2009) that will allow registrants to pay for two years of registration at a time. Electronic payment of registration fees has also been implemented.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

We will continue to refine the web-accessible registration system and electronic payment system. We are working to provide web-access to pesticide labels, making these documents quickly available to regulatory officials and the public, allowing registration staff to work on other program priorities. We will continue to refine the risk-based enforcement program. We estimate a reduction in field inspection costs of \$36,776.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

The regulation of pesticides and pesticide use is absolutely essential to the continued use of pesticides needed for food and fiber production, pest management, protection of public health, protection of private property, protection from aquatic weed accumulation in waterways used for flood control, and landscape management. Pesticide regulation is needed to ensure that

pesticides are used in ways that protect public health, agricultural workers, environmental resources, water and air quality. Pesticide regulation is also needed to protect Florida's industries, including agriculture and tourism, the state's two largest industries.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The fees charged are set in statute or rule.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Current fees are adequate to cover the direct and indirect costs of the program.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged are set in statute or rule. Fees are reviewed routinely and are increased when necessary and without undue hardship on the regulated industry. Fee increases in this program area were proposed in the 2008 Legislature and were adopted.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing

The fees collected cover direct and indirect costs charged to the trust fund.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

We believe that providing General Revenue to support this program area is appropriate, since the regulation of pesticides and pesticide use provide an obvious public benefit.



**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Seed Regulation  
**Fund(s):** General Revenue, General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** 578.08(1), 578.11, 578.26(1)

**Purpose of Fees Collected:** To ensure that Florida consumers receive seed products that conform to the Commercial Seed Law and to provide uniform regulation to seed producers and distributors.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
<u>Seed Licenses</u>		601,840		555,000		555,000
<u>Seed Complaint Filing Fee</u>		700		700		700
<u>Misc. - Other</u>		153		326		326
<u>Refunds</u>		3,750		3,750		3,750
<u> </u>						
<u> </u>						
<u> </u>						
<u> </u>						
<u> </u>						
<u> </u>						
<u> </u>						
<b>Total Fee Collection to Line (A) - Section III</b>	-	606,443	-	559,776	-	559,776

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
<u>Salaries and Benefits</u>	268,637	197,150	324,682	203,304	324,682	203,304
<u>Other Personal Services</u>						
<u>Contracted Services</u>	220	2,800	864	2,496	864	2,496
<u>Expenses</u>		16,085		15,175		15,175
<u>Operating Capital Outlay</u>						
<u>Data Processing</u>	3,427	12,504	3,399	12,486	3,399	12,486
<u>General Revenue S/C</u>		43,992		37,409		37,409
<u>Field Inspection</u>	2,140	182,989	13,075	174,670	13,075	174,670
<u> </u>						
Indirect Costs Charged to Trust Fund	54,097	186,533	54,097	186,533	54,097	186,533
<b>Total Full Costs to Line (B) - Section III</b>	328,521	642,053	396,117	632,073	396,117	632,073

**Basis Used:** Indirect costs are based on percentage of total salary dollars by program

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	606,443		559,776		559,776
TOTAL SECTION II	(B)	328,521	642,053	396,117	632,073	396,117	632,073
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(328,521)</b>	<b>(35,611)</b>	<b>(396,117)</b>	<b>(72,297)</b>	<b>(396,117)</b>	<b>(72,297)</b>

**EXPLANATION of LINE C:**

The General Inspection Trust Fund deficit is mainly due to indirect costs such as administrative overhead and funds allocated to the Director's Office. General Revenue is appropriated annually by the Legislature to support this regulatory activity and by funds used by the Department from the General Inspection Trust Fund. Use of General Revenue and General Inspection Trust Funds to support this program is justified by the benefits provided by the regulatory program. The Division feels that GR funds to support this program are warranted because the regulation of seeds is essential to the continued economically viable production of food and fiber.

Seed regulation is needed to ensure that seeds purchased by consumers meet established standards for purity, germination, and are not contaminated with noxious weed seeds. The seed program benefits the agricultural industry by ensuring that it has access to high quality seed to produce crops of economic value in the state.

Fees for this program were increased in 1992 by Florida Statute. The deficits are covered by the Pesticide Regulation Program.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Seed Regulation

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The Division constantly strives for operational efficiency. We have also implemented a risk-based inspection strategy that has reduced the number of samples collected (2,945 in FY 07-08 compared to 3,094 in FY 06-07), but focused on potential areas of non-compliance, resulting in more samples being misbranded (27.6% in FY 07-08 compared to 19.1% in FY 06-07). Costs for expenses and field inspections allocated to this program were reduced by \$9,229 from last fiscal year.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

We are implementing a web-based Laboratory Information Management System (LIMS) which will allow paperless transmission of seed regulatory information. The costs savings associated with this transition have not been estimated at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

The regulation of seeds is essential to the continued, economically viable production of food and fiber. Seed regulation is needed to ensure that seeds purchased by consumers meet established standards for purity, germination, and are not contaminated with noxious weed seeds.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The fees charged are set in statute or rule.



5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Current fees are not adequate to cover the direct and indirect costs of the program. The fees charged generate projected revenue that cover 62% of the combined direct and indirect costs projected for FY 07-08 and FY 08-09. Fees were last increased in this program in 1992.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged are set in statute or rule. Fees are reviewed routinely and are increased when necessary and without undue hardship on the regulated industry.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The seed program benefits the agricultural industry by ensuring it has access to high quality seed to produce crops of economic value in the state.

The regulation of seeds provides substantial public benefits well in excess of the amount of public funds expended. The 2,608 licensed seed dealers in Florida in FY 06-07 reported \$149,140,398 in gross receipts. These seeds are the basis for Florida agriculture and backyard fruit and vegetable production. Seed-based production of Florida agriculture was valued at \$1,780,700,000 in 2003<sup>1</sup>.

Seed regulation includes resolution of disputes between growers and seed producers. Settlement payments of \$131,115 were recommended for the last three fiscal years as a result of these Seed Council Investigations.

The seed regulatory program performs a vital function in checking for both prohibited and restricted noxious weed seed contamination. For one prohibited noxious weed - tropical soda apple - a total of 57 lots, totaling 393,450 pounds of bahiagrass seed contaminated with tropical soda apple have been identified and stopped from being sold or shipped in the last three fiscal years.

#### References:

1 – Economic Impacts of Agriculture and Natural Resource Industries in Florida, 2003. Hodges and Mulkey, 2006. University of Florida, EDIS document FE627. <http://www.edis.ifas.ufl.edu>.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

We believe that a state subsidy for this regulatory program is appropriate since it provides a public benefit. Elimination of the General Revenue portion of this program would require fee increases on the order of 45%.



Division of Consumer  
Services  
Exhibits or Schedules

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Dance Studios  
**Fund(s):** General Revenue and General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** s. 501.143, F.S.

**Purpose of Fees Collected:** To provide regulation and oversight to the Ballroom Dance Studio Industry in the State of Florida.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
<u>Registration Fees</u>		63,925		63,925		63,925
<u>Administrative Fines</u>		9,474		6,833		6,833
<u>Miscellaneous Other</u>		15				
<b>Total Fee Collection to Line (A) - Section III</b>	-	73,414	-	70,758	-	70,758

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits						
Other Personal Services		27,140		20,680		20,680
Expenses		701		11,000		11,000
Operating Capital Outlay						
Contracted Services		221				
General Revenue S/C		5,448		5,165		5,165
Refunds		2,132		2,132		2,132
Indirect Costs Charged to Trust Fund						
<b>Total Full Costs to Line (B) - Section III</b>	-	35,641	-	38,977	-	38,977

Basis Used: Indirect costs are based on percentage of total salary dollars by program

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	73,414		70,758		70,758
TOTAL SECTION II	(B)	-	35,641	-	38,977	-	38,977
<b>TOTAL - Surplus/Deficit</b>	(C)	-	37,773	-	31,781	-	31,781

**EXPLANATION of LINE C:**

Excess revenues from this program are used to fund positions and expenses in the Call Center, the Non-Regulated Consumer Complaints Program, and the Consumer Education and Outreach Program. All three programs are non-revenue producing services performed by the Division for the general public. In FY 2007-08, the combined expenses for these three programs was over \$1.8 million.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Dance Studios

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Services have been improved by implementing cross-training and streamlining administrative processes. Due to these improvements, we have been able to handle increased registrations and filings without additional personnel.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

E-commerce or electronic filing will be added as budget permits. Cost savings are not yet determined at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. This regulatory activity is mandated by Florida Statutes, and it is appropriate to provide protection to both the consuming public and the industry being regulated.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Division does not use official estimates by the Revenue Estimating Conference. Our revenue projections are based on actual historical revenues and the statutorily mandated fee structure.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes. The annual registration fee set by statute covers both direct and indirect costs of providing this regulatory service.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged for the regulatory service and oversight are set by statute, and apply uniformly to all affected business entities.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fees charged for Dance Studio registrations are adequate to cover direct and indirect program costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

The program is self-sufficient. Proposals have been made to fund shift the entire balance of General Revenue to the General Inspection Trust Fund.

## Examination of Regulatory Fees - Part II

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Dance Studios

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No; s. 501.143, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 0%

If the program is subsidized from other state funds, what is the source(s)? N/A

What is the current annual amount of the subsidy? N/A

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Dance Studios	Registration fee	s. 501.143	\$300 annually set by statute	1993	No	\$300	General Inspection Trust Fund



**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Health Studios  
**Fund(s):** General Revenue and General Inspection Trust Fund  
**Specific Authority:** s. 501.015, F.S.  
**Purpose of Fees Collected:** To provide regulation and oversight to the Health Studio Industry in the State of Florida.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach Examination of Regulatory Fees Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
<u>Receipts:</u>						
<u>Registration Fees</u>		568,855		568,855		568,855
<u>Administrative Fines</u>		106,663		66,926		66,926
<u>Miscellaneous Other</u>		60				
<b>Total Fee Collection to Line (A) - Section III</b>	-	675,578	-	635,781	-	635,781

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
<u>Direct Costs:</u>						
<u>Salaries and Benefits</u>		128,655		117,470		117,470
<u>Other Personal Services</u>		414				
<u>Data Processing</u>		7,347		7,347		7,347
<u>Expenses</u>		19,177		12,000		12,000
<u>Operating Capital Outlay</u>		355				
<u>Contracted Services</u>		3,562				
<u>General Revenue S/C</u>		46,454		46,412		46,412
<u>Refunds</u>		2,800		2,800		2,800
<u>Indirect Costs Charged to Trust Fund</u>	3,691	35,161	3,691	35,161	3,691	35,161
<b>Total Full Costs to Line (B) - Section III</b>	3,691	243,926	3,691	221,190	3,691	221,190

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	675,578		635,781		635,781
TOTAL SECTION II	(B)	3,691	243,926	3,691	221,190	3,691	221,190
<b>TOTAL - Surplus/Deficit</b>	(C)	(3,691)	431,652	(3,691)	414,591	(3,691)	414,591

**EXPLANATION of LINE C:**

GR Indirect Costs: the Division charges these costs to each program based on the percentage of program salary dollars to all program salary dollars. During the next session, the Division will request a fund shift of its entire General Revenue appropriation of \$215,761 to the General Inspection Trust Fund.

Excess revenues from this program are used to fund positions and expenses in the Call Center, the Non-Regulated Consumer Complaints Program, and the Consumer Education and Outreach Program. All three programs are non-revenue producing services performed by the Division for the general public. In FY 2007-08, the combined expenses for these three programs was over \$1.8 million.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Health Studios

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Services have been improved by implementing cross-training and streamlining administrative processes. Due to these improvements, we have been able to handle increased registrations and filings without additional personnel.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

E-commerce or electronic filing will be added as budget permits. Cost savings are not yet determined at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. This regulatory activity is mandated by Florida Statutes, and it is appropriate to provide protection to both the consuming public and the industry being regulated.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Division does not use official estimates by the Revenue Estimating Conference. Our revenue projections are based on actual historical revenues and the statutorily mandated fee structure.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes. The annual registration fee set by statute covers both direct and indirect costs of providing this regulatory service.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged for the regulatory service and oversight are set by statute, and apply uniformly to all affected business entities.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
- a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fees charged for Health Studio registrations are adequate to cover direct and indirect program costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

The program is self-sufficient. Proposals have been made to fund shift the entire balance of General Revenue to the General Inspection Trust Fund.

## Examination of Regulatory Fees - Part II

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Health Studios

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No; s. 501.015, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 1% GR

If the program is subsidized from other state funds, what is the source(s)? General Revenue

What is the current annual amount of the subsidy? \$3,691 GR

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Health Studios	Registration fee	s. 501.015	\$300 annually set by statute	1993	No	\$300	General Inspection Trust Fund

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Motor Vehicle Repair Shops  
**Fund(s):** General Revenue and General Inspection Trust Fund  
**Specific Authority:** s. 559.904, F.S.  
**Purpose of Fees Collected:** To provide regulation and oversight to the Motor Vehicle Repair Industry in the State of Florida.

Type of Fee or Program: (Check ONE Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach Examination of Regulatory Fees Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Registration Fees		1,254,695		1,254,395		1,254,395
Fees- Licenses, Sales Persons		3,700				
Administrative Fines		356,052		246,373		246,373
Miscellaneous Penalties		18,925		18,121		18,121
Miscellaneous Refunds		516				
Miscellaneous Other		118				
<b>Total Fee Collection to Line (A) - Section III</b>	<b>-</b>	<b>1,634,006</b>	<b>-</b>	<b>1,518,889</b>	<b>-</b>	<b>1,518,889</b>

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits		769,431		756,863		756,863
Other Personal Services		2,725				
Data Processing		43,940		43,940		43,940
Expenses		192,076		47,000		47,000
Operating Capital Outlay		2,122				
Contracted Services		12,458		2,000		2,000
General Revenue S/C		117,161		110,879		110,879
Refunds		30,735		30,735		30,735
Indirect Costs Charged to Trust Fund	22,072	210,282	22,072	210,282	22,072	210,282
<b>Total Full Costs to Line (B) - Section III</b>	<b>22,072</b>	<b>1,380,931</b>	<b>22,072</b>	<b>1,201,699</b>	<b>22,072</b>	<b>1,201,699</b>

Basis Used: Indirect costs are based on percentage of total salary dollars by program

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	1,634,006		1,518,889		1,518,889
TOTAL SECTION II	(B)	22,072	1,380,931	22,072	1,201,699	22,072	1,201,699
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(22,072)</b>	<b>253,075</b>	<b>(22,072)</b>	<b>317,190</b>	<b>(22,072)</b>	<b>317,190</b>

**EXPLANATION of LINE C:**

GR Indirect Costs: the Division charges these costs to each program based on the percentage of program salary dollars to all program salary dollars. During the next session, the Division will request a fund shift its entire General Revenue appropriation of \$215,761 to the General Inspection Trust Fund.

Excess revenues from this program are used to fund positions and expenses in the Call Center, the Non-Regulated Consumer Complaints Program, and the Consumer Education and Outreach Program. All three programs are non-revenue producing services performed by the Division for the general public. In FY 2007-08, the combined expenses for these three programs was over \$1.8 million.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Motor Vehicle Repair Shops

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Services have been improved by implementing cross-training, streamlining administrative processes, and making online renewal available to consumers. Due to these improvements, we have been able to handle increased registrations and filings without additional personnel.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

E-commerce or electronic filing will be added as budget permits. Cost savings are not yet determined at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. This regulatory activity is mandated by Florida Statutes, and it is appropriate to provide protection to both the consuming public and the industry being regulated.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Division does not use official estimates by the Revenue Estimating Conference. Our revenue projections are based on actual historical revenues and the statutorily mandated fee structure.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes. The biennial registration fee set by statute covers both direct and indirect costs of providing this regulatory service.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged for the regulatory service and oversight are set by statute, and apply uniformly to all affected business entities.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fees charged for Motor Vehicle Repair Shop registrations are adequate to cover direct and indirect program costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

The program is self-sufficient. Proposals have been made to fund shift the entire balance of General Revenue to the General Inspection Trust Fund.





### Examination of Regulatory Fees - Part II

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Motor Vehicle Repair Shops

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No; s. 559.904, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 2% GR

If the program is subsidized from other state funds, what is the source(s)? General Revenue

What is the current annual amount of the subsidy? \$ 22,072 GR

	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Motor Vehicle Repair Shops	Registration fee	s. 559.904	The following annual fees are set by statute: \$50 for shops with 1-5 employees; \$150 for shops with 6-10 employees; and \$300 for shops with 11 or more employees	In 1997, fee for small shops performing only minor repairs was amended to \$50. Other fees last revised in 1991.	No	\$50 for shops with 1-5 employees; \$150 for shops with 6-10 employees; and \$300 for shops with 11 or more employees	General Inspection Trust Fund

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Intrastate Moving Companies  
**Fund(s):** General Revenue and General Inspection Trust Fund  
**Specific Authority:** s. 507.03, F.S.  
**Purpose of Fees Collected:** To provide regulation and oversight to the Intrastate Moving Industry in the State of Florida.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees Form - Part I and II</b> .)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
<u>Registration Fees</u>		274,200		273,900		273,900
<u>Administrative Fines</u>		50,560		67,087		67,087
<u>Miscellaneous Penalties</u>		110				
<u>Miscellaneous Other</u>		194				
<b>Total Fee Collection to Line (A) - Section III</b>	-	325,064	-	340,987	-	340,987

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits	110,537	166,414	78,962	192,448	78,962	192,448
Other Personal Services		891				
Data Processing		15,816		15,816		15,816
Expenses	521	39,852		25,000		25,000
Operating Capital Outlay		764				
Contracted Services	2,366	834				
General Revenue S/C		22,770		24,892		24,892
Refunds		1,525		1,525		1,525
Indirect Costs Charged to Trust Fund	7,944	75,689	7,944	75,689	7,944	75,689
<b>Total Full Costs to Line (B) - Section III</b>	121,368	324,556	86,906	335,370	86,906	335,370

Basis Used: Indirect costs are based on percentage of total salary dollars by program

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	325,064		340,987		340,987
TOTAL SECTION II	(B)	121,368	324,556	86,906	335,370	86,906	335,370
<b>TOTAL - Surplus/Deficit</b>	(C)	(121,368)	508	(86,906)	5,617	(86,906)	5,617

**EXPLANATION of LINE C:**

When this program was originally enacted by the Florida Legislature in 2002, the Legislature recognized that setting a fee sufficient to cover the program costs would require so high an assessment as to damage the industry's competitive position amongst industry members. Therefore, the Legislature funded salary dollars for this program's FTEs with General Revenue funding. The Division allocates the indirect costs to each program based on the percentage of program salary dollars to all program salary dollars. During the next session, the Division will request a fund shift of its entire General Revenue appropriation of \$215,761 to the General Inspection Trust Fund.

Excess revenues from this program are used to fund positions and expenses in the Call Center, the Non-Regulated Consumer Complaints Program, and the Consumer Education and Outreach Program. All three programs are non-revenue producing services performed by the Division for the general public. In FY 2007-08, the combined expenses for these three programs was over \$1.8 million.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Intrastate Moving Companies

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Services have been improved by implementing cross-training and streamlining administrative processes. Due to these improvements, we have been able to handle increased registrations and filings without additional personnel.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

E-commerce or electronic filing will be added as budget permits. Cost savings are not yet determined at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. This regulatory activity is mandated by Florida Statutes, and it is appropriate to provide protection to both the consuming public and the industry being regulated.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Division does not use official estimates by the Revenue Estimating Conference. Our revenue projections are based on actual historical revenues and the statutorily mandated fee structure.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

No. The annual registration fee set by statute does not cover both direct and indirect costs of providing this regulatory service. When this program was originally enacted by the Florida Legislature in 2002, the Legislature recognized that setting a fee sufficient to cover the program costs would require so high an assessment as to damage the industry's competitive position amongst industry members. Therefore, the Legislature enacted this law with partial funding from General Revenue.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fee charged for the regulatory service and oversight is set by statute, and applies uniformly to all affected business entities.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fee charged for this regulatory service and oversight is set by statute. When this program was originally enacted by the Florida Legislature in 2002, the Legislature recognized that setting a fee sufficient to cover the program costs would require so high an assessment as to damage the industry's competitive position amongst industry members. Therefore, the Legislature enacted this law

with partial funding from General Revenue. The statutory purpose of this program is to secure the satisfaction and confidence of shippers (consumers) and members of the public when using an intrastate mover.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

Proposals have been made to fund shift the entire balance of General Revenue to the General Inspection Trust Fund. Total annual revenue exceeded total operating and non-operating costs in an amount sufficient to absorb the cost of the proposed fund shift.

## Examination of Regulatory Fees - Part II

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: IntraState Moving Companies

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No; s. 507.03, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 27% GR

If the program is subsidized from other state funds, what is the source(s)? General Revenue

What is the current annual amount of the subsidy? \$121,368 GR

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
IntraState Moving Companies	Registration fee	s. 507.03	\$300 annually set by statute	2002	No	\$300	General Inspection Trust Fund

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Sellers of Business Opportunities  
**Fund(s):** General Revenue and General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** s. 559.805, F.S.

**Purpose of Fees Collected:** To provide regulation and oversight to the Sellers of Business Opportunities Industry in the State of Florida.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach Examination of Regulatory Fees Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
<u>Receipts:</u>						
<u>Business Opportunity Filing Fee</u>		251,750		251,750		251,750
<u>Administrative Fines</u>		23,000		36,675		36,675
<u>Miscellaneous Penalties</u>		15				
<u>Miscellaneous Other</u>		45				
<b>Total Fee Collection to Line (A) - Section III</b>	-	274,810	-	288,425	-	288,425

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
<u>Direct Costs:</u>						
<u>Salaries and Benefits</u>		129,999		128,188		128,188
<u>Other Personal Services</u>		418				
<u>Data Processing</u>		7,424		7,424		7,424
<u>Expenses</u>		13,912		13,500		13,500
<u>Operating Capital Outlay</u>		359				
<u>Contracted Services</u>		1,285		1,000		1,000
<u>General Revenue S/C</u>		19,250		21,055		21,055
<u>Refunds</u>		315		315		315
<u>Indirect Costs Charged to Trust Fund</u>	3,729	35,528	3,729	35,528	3,729	35,528
<b>Total Full Costs to Line (B) - Section III</b>	3,729	208,489	3,729	207,010	3,729	207,010

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	274,810		288,425		288,425
TOTAL SECTION II	(B)	3,729	208,489	3,729	207,010	3,729	207,010
<b>TOTAL - Surplus/Deficit</b>	(C)	(3,729)	66,321	(3,729)	81,415	(3,729)	81,415

**EXPLANATION of LINE C:**

GR Indirect Costs: the Division charges these costs to each program based on the percentage of program salary dollars to all program salary dollars. During the next session, the Division will request a fund shift of its entire General Revenue appropriation of \$215,761 to the General Inspection Trust Fund.

Excess revenues from this program are used to fund positions and expenses in the Call Center, the Non-Regulated Consumer Complaints Program, and the Consumer Education and Outreach Program. All three programs are non-revenue producing services performed by the Division for the general public.



## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Sellers of Business Opportunities

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Services have been improved by implementing cross-training and streamlining administrative processes. Due to these improvements, we have been able to handle increased registrations and filings without additional personnel.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

E-commerce or electronic filing will be added as budget permits. Cost savings are not yet determined at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. This regulatory activity is mandated by Florida Statutes, and it is appropriate to provide protection to both the consuming public and the industry being regulated.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Division does not use official estimates by the Revenue Estimating Conference. Our revenue projections are based on actual historical revenues and the statutorily mandated fee structure.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

The fees charged for Sellers of Business Opportunities are adequate to cover direct and indirect program costs.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged for the regulatory service and oversight are set by statute, and apply uniformly to all affected business entities.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fees charged for Seller of Business Opportunities registrations and filing updates cover the direct and indirect program costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

The program is self-sufficient. Proposals have been made to fund shift the entire balance of General Revenue to the General Inspection Trust Fund.

**Examination of Regulatory Fees - Part II**

Department: <b>Agriculture and Consumer Services</b>							
Regulatory Service to or Oversight of Business or Profession Program: Sellers of Business Opportunities							
Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No; s. 559.805, F.S.							
What percent of the regulatory cost is currently subsidized? (0 to 100%) 2%							
If the program is subsidized from other state funds, what is the source(s)? General Revenue							
What is the current annual amount of the subsidy? \$3,729 GR							
Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Sellers of Business Opportunities	Registration fee and filing update fee	s. 559.805	Registration of \$300 annually set by statute; \$50 fee set by statute to update file each time update is received	1993	No	\$300	General Inspection Trust Fund

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Sellers of Travel  
**Fund(s):** General Revenue and General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** s. 559.928, F.S.

**Purpose of Fees Collected:** To provide regulation and oversight to the Sellers of Travel Industry in the State of Florida.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
Initial Fee		115,450		115,450		115,450
Renewal Fee		487,349		487,649		487,649
DOC Submission Fee		700		700		700
Travel Independent Agents				300,000		300,000
Administrative Fines		31,140		61,815		61,815
Miscellaneous Penalties		315				
Miscellaneous Refunds		205				
Miscellaneous Other		60				
<b>Total Fee Collection to Line (A) - Section III</b>	<b>-</b>	<b>635,219</b>	<b>-</b>	<b>965,614</b>	<b>-</b>	<b>965,614</b>

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
Salaries and Benefits		325,255		327,327		327,327
Other Personal Services		1,047				
Data Processing		18,575		18,575		18,575
Expenses		38,230		14,000		14,000
Operating Capital Outlay		897				
Contracted Services		4,002		400		400
General Revenue S/C		46,745		70,490		70,490
Refunds		3,100		3,100		3,100
Indirect Costs Charged to Trust Fund	9,330	88,891	9,330	88,891	9,330	88,891
<b>Total Full Costs to Line (B) - Section III</b>	<b>9,330</b>	<b>526,741</b>	<b>9,330</b>	<b>522,783</b>	<b>9,330</b>	<b>522,783</b>

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	635,219		965,614		965,614
TOTAL SECTION II	(B)	9,330	526,741	9,330	522,783	9,330	522,783
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(9,330)</b>	<b>108,478</b>	<b>(9,330)</b>	<b>442,831</b>	<b>(9,330)</b>	<b>442,831</b>

**EXPLANATION of LINE C:**

GR Indirect Costs: the Division charges these costs to each program based on the percentage of program salary dollars to all program salary dollars. During the next session, the Division will request a fund shift of its entire General Revenue appropriation of \$215,761 to the General Inspection Trust Fund.

Excess revenues from this program are used to fund positions and expenses in the Call Center, the Non-Regulated Consumer Complaints Program, and the Consumer Education and Outreach Program. All three programs are non-revenue producing services performed by the Division for the general public. In FY 2007-08, the combined expenses for these three programs was over \$1.8 million.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Sellers of Travel

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Services have been improved by implementing cross-training and streamlining administrative processes. Due to these improvements, we have been able to handle increased registrations and filings without additional personnel.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

E-commerce or electronic filing will be added as budget permits. Cost savings are not yet determined at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. This regulatory activity is mandated by Florida Statutes, and it is appropriate to provide protection to both the consuming public and the industry being regulated.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Division does not use official estimates by the Revenue Estimating Conference. Our revenue projections are based on actual historical revenues and the statutorily mandated fee structure.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes. The annual registration fee set by statute covers both direct and indirect costs of providing this regulatory service.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged for the regulatory service and oversight are set by statute, and apply uniformly to all affected business entities.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fees charged for Sellers of Travel are adequate to cover the direct and indirect program costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

The program is self-sufficient. Proposals have been made to fund shift the entire balance of General Revenue to the General Inspection Trust Fund.

## Examination of Regulatory Fees - Part II

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Sellers of Travel

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No; s. 559.928, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 2% GR

If the program is subsidized from other state funds, what is the source(s)? General Revenue

What is the current annual amount of the subsidy? \$9,330 GR

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Sellers of Travel	Registration fee	s. 559.928	\$300 annually set by statute	1991	No	\$300	General Inspector Trust Fund

**SCHEDULE IA: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Pawn Shops  
**Fund(s):** General Revenue and General Inspection Trust Fund  
**Specific Authority:** s. 539.001, F.S.  
**Purpose of Fees Collected:** To provide regulation and oversight to the Pawn Shop Industry in the State of Florida.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

X	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
Registration Fees		338,128		338,128		338,128
Background Checks		14,807		14,807		14,807
Administrative Fines		32,000		15,833		15,833
Miscellaneous Penalties		17				
<b>Total Fee Collection to Line (A) - Section III</b>	-	384,952	-	368,768	-	368,768

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
Salaries and Benefits		198,334		217,490		217,490
Other Personal Services		638				
Data Processing		11,326		11,326		11,326
Expenses		34,806		27,000		27,000
Operating Capital Outlay		547				
Contracted Services		12,633		3,195		3,195
General Revenue S/C		28,394		26,920		26,920
Refunds		1,569		1,569		1,569
Indirect Costs Charged to Trust Fund	5,689	54,204	5,689	54,204	5,689	54,204
<b>Total Full Costs to Line (B) - Section III</b>	5,689	342,451	5,689	341,704	5,689	341,704

Basis Used: Indirect costs are based on percentage of total salary dollars by program

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	384,952		368,768		368,768
TOTAL SECTION II	(B)	5,689	342,451	5,689	341,704	5,689	341,704
<b>TOTAL - Surplus/Deficit</b>	(C)	(5,689)	42,501	(5,689)	27,064	(5,689)	27,064

**EXPLANATION of LINE C:**

GR Indirect Costs: the Division charges these costs to each program based on the percentage of program salary dollars to all program salary dollars. During the next session, the Division will request a fund shift of its entire General Revenue appropriation of \$215,761 to the General Inspection Trust Fund.

Excess revenues from this program are used to fund positions and expenses in the Call Center, the Non-Regulated Consumer Complaints Program, and the Consumer Education and Outreach Program. All three programs are non-revenue producing services performed by the Division for the general public. In FY 2007-08, the combined expenses for these three programs was over \$1.8 million.



## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Pawn Shops

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Services have been improved by implementing cross-training and streamlining administrative processes. Due to these improvements, we have been able to handle increased registrations and filings without additional personnel.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

E-commerce or electronic filing will be added as budget permits. Cost savings are not yet determined at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. This regulatory activity is mandated by Florida Statutes, and it is appropriate to provide protection to both the consuming public and the industry being regulated.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Division does not use official estimates by the Revenue Estimating Conference. Our revenue projections are based on actual historical revenues and the statutorily mandated fee structure.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes. The annual registration fee set by statute covers both direct and indirect costs of providing this regulatory service.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged for the regulatory service and oversight are set by statute, and apply uniformly to all affected business entities.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fees charged for Pawn Shop licenses are adequate to cover direct and indirect program costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

The program is self-sufficient. Proposals have been made to fund shift the entire balance of General Revenue to the General Inspection Trust Fund.

## Examination of Regulatory Fees - Part II

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Pawn Shops

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No; s. 539.001, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 2% GR

If the program is subsidized from other state funds, what is the source(s)? General Revenue

What is the current annual amount of the subsidy? \$5,689 GR

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Pawn Shops	License fee	s. 539.001	\$300 annually set by statute	1996	No	\$300	General Inspection Trust Fund

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Solicitation of Contributions  
**Fund(s):** General Revenue and General Inspection Trust Fund  
**Specific Authority:** s. 496.405, 496.409 and 496.410, F.S.  
**Purpose of Fees Collected:** To provide regulation and oversight to the Solicitation of Contributions Industry in the State of Florida.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

X	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
Registration Fees		2,039,248		2,161,921		2,291,636
Penalties - Late Filing Fees		47,455		47,430		47,430
Return Check Charge		416				
Administrative Fines		22,855		60,737		60,737
Refunds		471				
Miscellaneous Other		268				
<b>Total Fee Collection to Line (A) - Section III</b>	<b>-</b>	<b>2,110,713</b>	<b>-</b>	<b>2,270,088</b>	<b>-</b>	<b>2,399,803</b>

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
Salaries and Benefits	1,885	796,719		799,410		799,410
Other Personal Services		3,004				
Data Processing		45,606		45,606		45,606
Expenses		116,740		57,000		57,000
Operating Capital Outlay		2,203				
Contracted Services	1,783	2,198				
General Revenue S/C		134,490		165,716		175,186
Refunds		137,858		137,858		137,858
Indirect Costs Charged to Trust Fund	22,908	218,255	22,908	218,255	22,908	218,255
<b>Total Full Costs to Line (B) - Section III</b>	<b>26,577</b>	<b>1,457,072</b>	<b>22,908</b>	<b>1,423,845</b>	<b>22,908</b>	<b>1,433,315</b>

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	2,110,713		2,270,088		2,399,803
TOTAL SECTION II	(B)	26,577	1,457,072	22,908	1,423,845	22,908	1,433,315
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(26,577)</b>	<b>653,642</b>	<b>(22,908)</b>	<b>846,243</b>	<b>(22,908)</b>	<b>966,488</b>

**EXPLANATION of LINE C:**

GR Indirect Costs: the Division charges these costs to each program based on the percentage of program salary dollars to all program salary dollars. During the next session, the Division will request a fund shift of its entire General Revenue appropriation of \$215,761 to the General Inspection Trust Fund.

Excess revenues from this program are used to fund positions and expenses in the Call Center, the Non-Regulated Consumer Complaints Program, and the Consumer Education and Outreach Program. All three programs are non-revenue producing services performed by the Division for the general public. In FY 2007-08, the combined expenses for these three programs was over \$1.8 million. Additionally, a fund shift of \$300,000 in Salaries & Benefits from GR to GITF in the Division of Administration has been proposed. The 3 FTE (Senior Attorneys) work full-time for the Division of Consumer Services.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Solicitation of Contributions

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Services have been improved by implementing cross-training and streamlining administrative processes. Due to these improvements, we have been able to handle increased registrations and filings without additional personnel.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

E-commerce or electronic filing will be added as budget permits. Cost savings are not yet determined at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. This regulatory activity is mandated by Florida Statutes, and it is appropriate to provide protection to both the consuming public and the industry being regulated.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Division does not use official estimates by the Revenue Estimating Conference. Our revenue projections are based on actual historical revenues and the statutorily mandated fee structure.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes. The annual registration fee set by statute covers both direct and indirect costs of providing this regulatory service.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged for the regulatory service and oversight are set by statute, and apply uniformly to all affected business entities.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fees charged for Solicitation of Contributions registrations are adequate to cover direct and indirect program costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

The program is self-sufficient. Proposals have been made to fund shift the entire balance of General Revenue to the General Inspection Trust Fund.



## Examination of Regulatory Fees - Part II

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Solicitation of Contributions

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No; s. 496.405, 496.409 and 496.410, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 2% GR

If the program is subsidized from other state funds, what is the source(s)? General Revenue

What is the current annual amount of the subsidy? \$26,577 GR

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Solicitation of Contributions	Registration fee	ss. 496.405, 496.409 and 496.410	The following annual fees are set by statute for charitable organizations and sponsors: \$10 if contributions received are less than \$25,000 and only use volunteers; \$75 if contributions more than \$5,000 and less than \$100,000; \$125 if contributions more than \$100,000 and less than \$200,000; \$200 if more than \$200,000 and less than \$500,000; \$300 if more than \$500,000 and less than \$1 million; \$350 if more than \$1 million and less than \$10 million; and \$400 if \$10 million or more.	Fees for charitable organizations and sponsors last revised in 1991. Fees for professional solicitors and fundraising consultants last revised in 1994.	No	Same as set by statute	General Inspection Trust Fund

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Telemarketing  
**Fund(s):** General Revenue and General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** s. 501.605 and 501.607, F.S.

**Purpose of Fees Collected:** To provide regulation and oversight to the Telemarketing Industry in the State of Florida.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees Form - Part I and II.</b> )
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Licenses-Commerical Telephone Sales		300,490		300,490		300,490
Licenses-Sales Persons		513,235		516,935		516,935
Licenses-Change Information		5,620				
Administrative Fines		453,300		152,433		152,433
Miscellaneous Other		397				
<b>Total Fee Collection to Line (A) - Section III</b>	-	1,273,042	-	969,858	-	969,858

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits		113,898		91,233		91,233
Other Personal Services		367				
Data Processing		6,504		6,504		6,504
Expenses		37,056		28,000		28,000
Operating Capital Outlay		314				
Contracted Services		1,183				
General Revenue S/C		88,065		70,800		70,800
Refunds		4,285		4,285		4,285
Indirect Costs Charged to Trust Fund	3,267	31,128	3,267	31,128	3,267	31,128
<b>Total Full Costs to Line (B) - Section III</b>	3,267	282,799	3,267	231,950	3,267	231,950

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	1,273,042		969,858		969,858
TOTAL SECTION II	(B)	3,267	282,799	3,267	231,950	3,267	231,950
<b>TOTAL - Surplus/Deficit</b>	(C)	(3,267)	990,243	(3,267)	737,908	(3,267)	737,908

**EXPLANATION of LINE C:**

GR Indirect Costs: the Division charges these costs to each program based on the percentage of program salary dollars to all program salary dollars. During the next session, the Division will request a fund shift of its entire General Revenue appropriation of \$215,761 to the General Inspection Trust Fund.

Excess revenues from this program are used to fund positions and expenses in the Call Center, the Non-Regulated Consumer Complaints Program, and the Consumer Education and Outreach Program. All three programs are non-revenue producing services performed by the Division for the general public. In FY 2007-08, the combined expenses for these three programs was over \$1.8 million.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Telemarketing

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Services have been improved by implementing cross-training and streamlining administrative processes. Due to these improvements, we have been able to handle increased registrations and filings without additional personnel.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

E-commerce or electronic filing will be added as budget permits. Cost savings are not yet determined at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. This regulatory activity is mandated by Florida Statutes, and it is appropriate to provide protection to both the consuming public and the industry being regulated.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Division does not use official estimates by the Revenue Estimating Conference. Our revenue projections are based on actual historical revenues and the statutorily mandated fee structure.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes. The annual registration fee set by statute covers both direct and indirect costs of providing this regulatory service.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged for the regulatory service and oversight are set by statute, and apply uniformly to all affected business entities.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fees charged for Telemarketing licenses are adequate to cover direct and indirect program costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

Proposals have been made to fund shift the entire balance of General Revenue to the General Inspection Trust Fund. Total annual revenue exceeded total operating and non-operating cost in an amount sufficient to absorb the cost of the proposed fund shift.



# Division of Standards Exhibits or Schedules

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Fair Rides Inspection  
**Fund:** General Inspection Trust Fund

**Specific Authority:** 616.242, F.S.  
**Purpose of Fees Collected:** Offset direct and indirect inspection costs.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees Form - Part I and II.</b> )
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
	<b>FY 2007 - 08</b>	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>
<u>Receipts:</u>			
<u>Amusement Ride Permits</u>	721,645	725,840	725,840
<u>Lost USA ID Tag/Permit</u>	2,400	2,500	2,500
<u>Kiddie Amusement Ride Inspection</u>	72,255	72,205	72,205
<u>Non-Kiddie Ride/Go Kart Insp. Fees</u>	428,149	422,422	422,422
<u>Late Notice Inspection Fees</u>	35,100	35,500	35,500
<u>Failure to Cancel Inspection Fee</u>	5,510	5,400	5,400
<u>Fee - Reinspection</u>	42,540	41,000	41,000
<u>Fee Fair/Super Ride</u>	140,385	141,260	141,260
<u>Bungee Permit</u>	500	500	500
<u>Weekend Inspection Fee</u>	20,685	20,550	20,550
<u>Administrative Fines</u>	17,750	18,750	18,750
<u>Returned Check Penalties</u>	1,159	0	0
<u>Sale of Surplus Property-DMS</u>	11,461	0	0
<u>Miscellaneous Refunds</u>	38	0	0
<u>Miscellaneous Other</u>	793	781	781
<b>Total Fee Collection to Line (A) - Section III</b>	<b>1,500,370</b>	<b>1,486,708</b>	<b>1,486,708</b>



**SECTION II - FULL COSTS**

	<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
	<b>FY 2007 - 08</b>	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>
<b>Direct Costs:</b>			
Salaries and Benefits	1,023,341	1,098,310	1,098,310
Other Personal Services			
Expenses	181,119	180,000	180,000
Operating Capital Outlay	28,809		
Refunds	3,460	3,460	3,460
Data Processing	35,096	35,096	35,096
General Revenue S/C	112,574	108,530	108,530
Indirect Costs Charged to Trust Fund			
Contracted Services	14,177	35,000	35,000
<b>Total Full Costs to Line (B) - Section III</b>	<b>1,398,576</b>	<b>1,460,396</b>	<b>1,460,396</b>

Basis Used:

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**SECTION III - SUMMARY**

		<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
		<b>FY 2007 - 08</b>	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>
TOTAL SECTION I	(A)	1,500,370	1,486,708	1,486,708
TOTAL SECTION II	(B)	1,398,576	1,460,396	1,460,396
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>101,794</b>	<b>26,312</b>	<b>26,312</b>

**EXPLANATION of LINE C:**

Revenues exceeded estimates in FY 2007-08, due to an increase in the number of permits issued, as well as an increase in super ride inspection fees. These revenues resulted from the combination of both new companies entering Florida for the first time, as well as existing companies bringing in new rides. If this trends continues, the revenues in FY 2008-09 and FY 2009-10 may somewhat exceed program costs. Any surplus of revenue over expenditures will be used to defray costs for other programs in the Department that are funded by the Legislature from the General Inspection Trust Fund.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Bureau of Fair Rides Inspection

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

In the past, amusement ride inspector training was conducted semi-annually in Tallahassee requiring 14 inspectors to travel from various locations in the state to Tallahassee. Each training session cost approximately \$9,000. The Bureau reduced this from semi-annual to annual training without adversely affecting training goals and objectives and, as a result, saved \$9,000.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

Additional operational efficiencies planned are to reduce the frequency of express mailings (UPS, FedEx, etc.). Since 14 of the 15 amusement ride inspectors live outside the Tallahassee area (from Pensacola to Miami), inspectors would send inspection fees, invoices and inspection reports to the Bureau three times per week via express mail. With an average of four per times week at \$9.00 a mail out, the mail outs were costing the Bureau over \$20,000 a year.

In addition, the Bureau will send inspection schedules out once a week. With the addition of scanner copier machines, weekly inspection schedules are now sent via email.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. The Bureau of Fair Rides provides a critical service safeguarding the public with the most comprehensive amusement ride inspection program of any state in the country.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally

Fees are based on projections utilizing generally accepted governmental accounting procedures. Projections are based primarily on historic industry growth.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Fees are sufficient to cover all costs.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

Yes, amusement rides are differentiated into three types of rides, and are charged fees commensurate with the complexity and the time needed to complete the inspection.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs

would require so high an assessment as to damage its competitive position with similar entities in other states.

Fees currently charged are adequate to cover all costs.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

Not applicable to the Bureau of Fair Rides.

## Schedule IA - Part II: Examination of Regulatory Fees

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Fair Rides Inspection

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No

What percent of the regulatory cost is currently subsidized? (0 to 100%) 0%

If the program is subsidized from other state funds, what is the source(s)? N/A

What is the current annual amount of the subsidy? \$ N/A

Service/Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Amusement Ride Inspection	Kiddie Amusement Ride	616.242	\$35	2001	Yes	\$35	General Inspection Trust Fund
	Non-Kiddie Amusement Ride	616.242	\$70	2001	Yes	\$70	General Inspection Trust Fund
	Super Ride	616.242	\$140	2001	Yes	\$140	General Inspection Trust Fund
	Reinspection	616.242	\$500	2005	Yes	\$500	General Inspection Trust Fund
	Late Notice Inspection	616.242	\$100	1997	Yes	\$100	General Inspection Trust Fund
	Failure to Cancel Inspection	616.242	\$100	1997	Yes	\$100	General Inspection Trust Fund
	Go Kart Vehicle Inspection	616.242	\$7	2005	Yes	\$7	General Inspection Trust Fund
	Ride Permit Fee	616.242	\$430	2005	Yes	\$430	General Inspection Trust Fund
	Lost USAID Tag	616.242	\$100	1993	Yes	\$100	General Inspection Trust Fund
	Bungee Permit	616.242	\$500	1993	Yes	\$500	General Inspection Trust Fund
	Weekend/Holiday Inspection	616.242	\$500	2005	Yes	\$75	General Inspection Trust Fund

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** LP Gas Inspection  
**Fund:** General Inspection Trust Fund

**Budget Period: 2009-10**

**Specific Authority:** Chapter 527, F.S.

**Purpose of Fees Collected:** Regulatory oversight of the liquefied petroleum gas industry, including licensing, examination, inspection, investigation and training.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	<b>ACTUAL FY 2007 - 08</b>	<b>ESTIMATED FY 2008 - 09</b>	<b>REQUEST FY 2009 - 10</b>
<b>Receipts:</b>			
LP Gas License Fees	1,380,763	1,350,152	1,321,612
LP Gas Fees	100,743	110,914	110,914
U.S. Grants	0	65,995	0
Administrative Fines	146,899	145,899	145,899
Miscellaneous Penalties	107	0	0
Miscellaneous Refunds	74	0	0
Sale of Surplus Property - DMS Sale	7,964	0	0
Miscellaneous Other	3,344	3,684	3,684
<b>Total Fee Collection to Line (A) - Section III</b>	<b>1,639,894</b>	<b>1,676,644</b>	<b>1,582,109</b>

**SECTION II - FULL COSTS**

	<b>ACTUAL FY 2007 - 08</b>	<b>ESTIMATED FY 2008 - 09</b>	<b>REQUEST FY 2009 - 10</b>
<b>Direct Costs:</b>			
Salaries and Benefits	1,062,784	1,086,877	1,086,877
Other Personal Services	8,209	10,000	10,000
Expenses	159,780	170,000	170,000
Contracted Services	14,554	20,000	20,000
Operating Capital Outlay	5,150	0	0
Refunds	3,231	3,231	3,231
Data Processing	45,638	45,638	45,638
General Revenue S/C	121,809	122,395	115,494
Indirect Costs Charged to Trust Fund	302,549	302,549	302,549
<b>Total Full Costs to Line (B) - Section III</b>	<b>1,723,704</b>	<b>1,760,690</b>	<b>1,753,789</b>

Basis Used: Indirect costs based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		<b>ACTUAL FY 2007 - 08</b>	<b>ESTIMATED FY 2008 - 09</b>	<b>REQUEST FY 2009 - 10</b>
TOTAL SECTION I	(A)	1,639,894	1,676,644	1,582,109
TOTAL SECTION II	(B)	1,723,704	1,760,690	1,753,789
<b>TOTAL - Surplus/Deficit</b>	<b>(C)</b>	<b>(83,810)</b>	<b>(84,046)</b>	<b>(171,680)</b>

**EXPLANATION of LINE C:**

Line C is the deficit anticipated for the years specified. Without an increase in license fees, this deficit will continue to increase.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture & Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** LP Gas Inspection

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The bureau ceased participation in the federal pipeline program in October, 2007. The program was originally designed to reimburse the agency 50% of its costs, however, actual reimbursement was at approximately 30%. Estimated cost savings of \$30,000 per year.

The bureau has recently implemented scanning of all site plans. Approximately fifty a week are received. These were previously copied in triplicate and mailed to the field inspectors. This should save approximately \$2,500 a year.

The bureau has continued a program of on-line licensure renewal begun approximately three years ago that has resulted in increased service to the public and increased operational efficiency for both the Bureau of Finance & Accounting and Bureau of LP Gas Inspection. Licensees may pay on-line, using a credit card, which also allows the agency to avoid the costs related to processing of licensees' checks. Accepting credit cards also ensures payment and the avoidance of non-payment situations associated with "bad checks." Licensees are able to obtain their licenses sooner which increases the number of businesses able to sell propane and propane-based products to the public. This, in turn, increases competition within the industry which is a direct benefit to the citizens of Florida.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

Current plans include realignment of inspectors' geographic responsibilities which should lessen travel-related costs. This plan is in the discussion stage and cost savings, if any, have not been estimated at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes, the bureau provides a critical service to safeguard the public with the most comprehensive LP Gas program of any state in the country.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

Fees are based on projections utilizing generally accepted governmental accounting procedures. Projections are based primarily on historic industry growth, trends within the various industry factions, and general market conditions.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Fees are not adequate to cover the costs of the program, as shortfalls have been experienced recently due to increases in operational costs (fuel, hotels, etc.). We continue to operate as efficiently as possible, however, fee increases are required in order for the program to be self-supporting.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

Fees are reasonable and comparable to similar professional fees in Florida and other states. Financial incentives are achieved through a strong enforcement program which imposes monetary penalties for failure to comply with adopted laws, rules and regulations.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:



- a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
- b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

Although this program is not entirely self-supporting, the expenses associated with it enable the Department to provide consumers in Florida with a greater measure of safety through the inspection of propane storage facilities and enforcement of safety codes. In addition, investigation of accidents allows the identification of problem areas and resolution before damage becomes widespread. Most of the fees have not been increased in the last 18 years and proposals to raise fees have been made, but were unsuccessful. A current proposal to raise fees by amending Chapter 527, Florida Statutes, supported by the propane industry, has been submitted for FY 08-09.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

The program's intention is to be self-sufficient, however, licensure fees have not been increased in over 18 years and all bureau activities have nearly doubled in all categories (e.g., number of licensees and number of inspections conducted have doubled). Statutory licensure fee increases have been proposed previously and are again being proposed for FY 09-10; however, fee increases have not been approved. The fee increase is designed to account for recent shortfalls and to allow the bureau to establish self-sufficiency. It should be noted that the bureau has handled all activity increases for the past several years without any increases in staffing.

## Schedule IA - Part II: Examination of Regulatory Fees

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: LP Gas Inspection

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No

What percent of the regulatory cost is currently subsidized? (0 to 100%) 5%

If the program is subsidized from other state funds, what is the source(s)? General Inspection Trust Fund

What is the current annual amount of the subsidy? \$ 83,810

Service/Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Liquefied Petroleum Gas	Manufacturer of LP Gas Appliances & Equip	527.02, FS	\$525	1990	No	\$525	General Inspection Trust Fund
	Category III LP Gas Cylinder Exchange Unit Operator	527.02, FS	\$100	2000	No	\$100	General Inspection Trust Fund
	Installer E	527.02, FS	\$300	1990	No	\$300	General Inspection Trust Fund
	Installer B	527.02, FS	\$300	1990	No	\$300	General Inspection Trust Fund
	Installer C	527.02, FS	\$300	1990	No	\$300	General Inspection Trust Fund
	Requalification of Cylinders	527.02, FS	\$525	1990	No	\$525	General Inspection Trust Fund
	Fabrication, Repair & Testing of Vehicles & Cargo Tanks	527.02, FS	\$525	1990	No	\$525	General Inspection Trust Fund
	Category I LP Gas Dealer	527.02, FS	\$525	1990	No	\$525	General Inspection Trust Fund
	Dealer in Appliances & Equipment for use of LP Gas	527.02, FS	\$50	1990	No	\$50	General Inspection Trust Fund
	Installer D	527.02, FS	\$300	1990	No	\$300	General Inspection Trust Fund
	Category II LP Gas Dispensing Unit	527.02, FS	\$525	1990	No	\$525	General Inspection Trust Fund
	Category IV LP Gas Dispenser & RV Servicer	527.02, FS	\$525	2000	No	\$525	General Inspection Trust Fund
	Category V LP Gas Dealer in Industrial Gases Only	527.02, FS	\$300	2003	No	\$300	General Inspection Trust Fund
	Installer A	527.02, FS	\$300	1990	No	\$300	General Inspection Trust Fund
	Pipeline System Operator	527.02, FS	\$400	1992	No	\$400	General Inspection Trust Fund
	Duplicate License or Qualifier Card	527.0201, FS	\$10	1993	No	\$10	General Inspection Trust Fund
	LP Gas Examination Filing Fee-Qualifier	527.0201, FS	\$20	1990	No	\$20	General Inspection Trust Fund
	LP Gas Examination Filing Fee- Master Qualifier	527.0201, FS	\$30	2000	No	\$30	General Inspection Trust Fund
	Truck Registration Fee	527.021, FS	\$50	1992	No	\$50	General Inspection Trust Fund
	Site Plan Fee	527.0605, FS	\$200	1992	No	\$200	General Inspection Trust Fund
	Qualifier Renewal	527.0201, FS	\$20	2000	No	\$20	General Inspection Trust Fund
	Master Qualifier Renewal	527.0201, FS	\$30	2000	No	\$30	General Inspection Trust Fund

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Petroleum Inspection  
**Fund:** General Inspection Trust Fund  
**Specific Authority:** 525.09, F.S.; 526.51, F.S.; 501.913, F.S  
**Purpose of Fees Collected:** To defray the expenses incident to inspecting, testing, and analyzing petroleum fuels and vehicular fluids in this state.

Type of Fee or Program: (Check ONE Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach Examination of Regulatory Fees Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	<b>ACTUAL FY 2007 - 08</b>	<b>ESTIMATED FY 2008 - 09</b>	<b>REQUEST FY 2009 - 10</b>
<u>Receipts:</u>			
<u>Gasoline &amp; Oil Inspection Fee</u>	10,387,889	10,691,773	10,691,773
<u>Antifreeze Registration Fee</u>	75,200	67,408	67,408
<u>Brake Fluid Registration Fee</u>	26,075	25,423	25,423
<u>Interest</u>	922,998	883,447	883,447
<u>Refunds</u>	582	0	0
<u>Miscellaneous Other</u>	834	781	781
<u>Sale of Surplus Property - DMS Sale</u>	15,642	0	0
<u>Administrative Fines (including price gouging)</u>	117,532	129,532	13,032
<b>Total Fee Collection to Line (A) - Section III</b>	<b>11,546,752</b>	<b>11,798,364</b>	<b>11,681,864</b>

**SECTION II - FULL COSTS**

	<b>ACTUAL FY 2007 - 08</b>	<b>ESTIMATED FY 2008 - 09</b>	<b>REQUEST FY 2009 - 10</b>
<u>Direct Costs:</u>			
<u>Salaries and Benefits</u>	3,905,208	4,086,312	4,086,312
<u>Other Personal Services</u>	21,327	37,000	37,000
<u>Expenses</u>	954,102	860,000	860,000
<u>Contracted Services</u>	105,597	140,000	140,000
<u>Operating Capital Outlay &amp; Vehicles</u>	240,913	1,750	1,750
<u>Data Processing</u>	144,694	144,694	144,694
<u>General Revenue S/C</u>	841,936	861,281	852,776
<u>Refunds</u>	49,576	3,536	3,536
<u>Indirect Costs Charged to Trust Fund</u>	1,403,039	1,403,039	1,403,039
<b>Total Full Costs to Line (B) - Section III</b>	<b>7,666,392</b>	<b>7,537,612</b>	<b>7,529,107</b>

Basis Used: Indirect costs based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		<b>ACTUAL FY 2007 - 08</b>	<b>ESTIMATED FY 2008 - 09</b>	<b>REQUEST FY 2009 - 10</b>
TOTAL SECTION I	(A)	11,546,752	11,798,364	11,681,864
TOTAL SECTION II	(B)	7,666,392	7,537,612	7,529,107

**TOTAL - Surplus/Deficit**

(C) 

3,880,360	4,260,752	4,152,757
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**EXPLANATION of LINE C:**

The Bureau of Petroleum Inspection currently generates revenues through inspection and registration fees to offset program expenses. The sale of petroleum fuel fluctuates from year to year and the current fee plan (a single fee rate assessed per gallon of specific petroleum fuels sold in Florida) is believed to be the best overall approach. The fee covers the associated expenses for the many different services our program is responsible for, such as the handling and investigation of consumer and price gouging complaints, the analysis of petroleum samples and the inspection of wholesale and retail dispensing devices. Changing the fee structure would require the institution of multiple fees assessed to many additional businesses in order to cover the program's expenses. This would also require significantly more administrative costs to process and monitor the additional fees. Alternatively, lowering the inspection fee would make no material difference in the price of gasoline purchased. The surplus of revenue over expenditures is used to help defray the operating costs for other programs in the Department that are funded by the Legislature from the General Inspection Trust Fund.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture & Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Petroleum Inspection

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

This past year, reorganizing and reconfiguring printers used in the bureau's labs and office areas reduced the number of active printers by 32%, or a total of 8 printers. This involved the conversion to printers with two to four cent costs per print page from printers with eight to twelve cent costs per print page.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

A normal part of the periodic management review process includes evaluation of current processes and procedures in attempts to determine if there are more cost effective and efficient ways to perform activities. Currently, the following procedures are under consideration and review:

- Review of shipping protocols and strategies for samples collected by petroleum inspectors in the field that are sent via carrier to the petroleum testing laboratories. Rearrangement of these procedures has the potential to reduce shipping costs by as much as an estimated \$15,000 per year.
- Review of shipping protocols and strategies for sending sample collection equipment and necessary supplies from the petroleum testing laboratories out to inspectors in the field. Rearrangement of these procedures has the potential to reduce shipping costs by as much as an estimated \$2,000 per year.
- Evaluate redefining the amount of information required for penalty assessment cases, which would ideally require less time for inspectors to collect such information. This has the potential to reduce inspector hours by as much as four hours per inspector, per assessment report.
- Consider incorporating risk-based factors into selected sampling protocols to reduce inspector and laboratory time and expense. This has the potential to reduce expenses by as much as an estimated \$6,000 per year.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes, Florida is currently the third largest petroleum fuel consuming state in the nation. Providing consumer protection in the petroleum fuel market plays an important role not only with respect to the protection of millions of Floridians on a daily basis, but also by contributing to the protection of one of Florida's largest industries: tourism. Those that visit our state, whether flying or driving, most likely purchase petroleum products during their visit and a bad experience at the pump can remain with them long after their vacation or visit has ended.

Further, with the presence of renewable and alternative fuels becoming prevalent at gas stations across the state, significant changes have and are taking place in Florida's motor fuel marketplace. As a result, it is imperative that such a transition progress as smoothly as possible to further the development of these products and reduce our dependence on foreign oil.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The fee charged for the inspection of petroleum products is statutorily set at 1/8 cent per gallon of gas, kerosene (except when used as aviation turbine fuel), and #1 fuel oil sold within this state.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes, the fees are adequate to cover both the direct and indirect costs of this program.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

Yes, the fees are reasonable and are assessed on a per gallon sold basis as opposed to a per-inspection or other unit basis. The fees are assessed on fuel that enters the state with the intent of remaining in the state. However, much of the work performed by our program is conducted down the distribution chain from *the* point of entry into the state. There are different activities and businesses within the petroleum distribution chain, but all are covered under the petroleum industry “umbrella”. The fees cover lab analyses as well as pump inspections at both the wholesale and retail levels, not to mention a number of other consumer-related services such as price gouging investigations, alternate electricity generation equipment inspections, consumer complaint hot-line operation, and a general petroleum information center.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

Not applicable to Petroleum Inspection.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

Not applicable to Petroleum Inspection.





**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Weights and Measures  
**Fund:** General Revenue, General Inspection Trust Fund  
**Specific Authority:** Ch. 531, F.S.  
**Purpose of Fees Collected:** Metrology Laboratory Calibration Services

**Budget Period: 2009-10**

Type of Fee or Program: (Check ONE Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees Form - Part I and II.</b> )
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL		ESTIMATED		REQUEST	
	FY 2007 - 08		FY 2008 - 09		FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
Metrology Calibration & Testing		50,822		48,315		48,315
Refunds, Shipping Costs		2,925		3,984		3,984
Administrative Fines		13,000		13,000		13,000
Misc.		3,236				
<b>Total Fee Collection to Line (A) - Section III</b>	-	69,983	-	65,299	-	65,299

**SECTION II - FULL COSTS**

	ACTUAL		ESTIMATED		REQUEST	
	FY 2007 - 08		FY 2008 - 09		FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
Salaries and Benefits	1,813,854	121,055	1,692,707		1,692,707	
Other Personal Services						
Expenses	319,172	182,999	305,588	42,000	305,588	42,000
Operating Capital Outlay		278,905				
Refunds						
Data Processing						
Contracted Services	5,000	10,505	15,000		15,000	
General Revenue S/C		5,499		4,767		4,767
Indirect Costs charged to Trust Fund		550,821	-	550,821	-	550,821
<b>Total Full Costs to Line (B) - Section III</b>	2,138,026	1,149,784	2,013,295	597,588	2,013,295	597,588

Basis Used: Indirect costs based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL		ESTIMATED		REQUEST	
		FY 2007 - 08		FY 2008 - 09		FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	69,983	-	65,299	-	65,299
TOTAL SECTION II	(B)	2,138,026	1,149,784	2,013,295	597,588	2,013,295	597,588
<b>TOTAL - Surplus/Deficit</b>	(C)	(2,138,026)	(1,079,801)	(2,013,295)	(532,289)	(2,013,295)	(532,289)

**EXPLANATION of LINE C:**

Expenditures in this document represent expenditures in the Bureau of Weights and Measures. FY 07-08 and projected FY 08-09 and FY 09-10 deficits are attributable to the fact that there are no regulatory fees for weights and measures activities. The program is primarily funded from General Revenue as weights and measures regulation protects both consumers and businesses from economic harm. There are about \$50,000 in annual revenues generated from non-regulatory laboratory calibration services provided by the metrology laboratory to private sector customers and \$13,000 in administrative fines. The current General Inspection Trust Fund (GITF) deficit in this program is covered by the overall Department cash balances in this trust fund. The GITF deficit for FY 08-09 and FY 09-10 is expected to decrease as there is no budget authority for OCO equipment or acquisition of motor vehicles. Past fee proposals for weights and measures regulatory activities have been rejected by the legislature as it is not always reasonable to try to identify specific participants and beneficiaries in the marketplace that should shoulder the burden of costs.

In addition to commercial device testing, inspectors test packages in interstate and intrastate commerce for net contents compliance, investigate complaints about sales practices, test scanner systems for accuracy, investigate "sales from bulk" transactions, etc. Inspections are prioritized according to factors associated with risk, and all regulated entities are not inspected at any specified interval which is expected under a fee system. Every buyer and seller benefits from independent weights and measures regulatory functions during every commercial transaction. A change to Chapter 531, F.S. would be necessary for the Department to be authorized to charge regulatory fees for weights and measures activities.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Weights and Measures

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The program has had to continually adopt internal operational efficiencies to provide an acceptable level of service while the inspection workload has steadily increased and staff positions have decreased, including realignment of field inspection territories, cross-training of inspection positions and development of risk assessment testing procedures.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

In the last few years, continued improvement and streamlining in the program have been necessary in order to meet the additional responsibilities with fewer resources. At this time, maximum operational efficiency is being maintained with the funding available.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. Weights and measures regulation provides a vital consumer protection service for all citizens and visitors, as well as a level playing field for businesses and industry. Regulatory inspections include assessing accuracy and design suitability of commercial devices, compliance of packaged commodities with net contents claims and labeling requirements, accuracy of electronic and manual retail pricing systems and associated advertised prices, and investigating consumer complaints and complaints from businesses regarding unfair practices by competitors.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally

There are no regulatory fees charged. Weights and measures regulatory activities are funded from general revenues as the benefits accrue to consumers, businesses and the general public. Identifying specific participants in the marketplace to bear the costs of providing the services could unfairly burden certain sectors.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

N/A. See response to #3.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

N/A. See response to #3.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

Weights and measures regulation protects consumers and businesses from economic harm, and it is not always reasonable to try to identify specific participants in the marketplace that should shoulder the burden of costs. Every buyer and seller benefits from independent weights and measures regulatory functions during every commercial transaction.

Testing of devices benefits both the owners of the device and their customers; testing packages for accuracy and labeling compliance benefits consumers by assuring full, accurate measure and contents disclosure; the testing benefits industries by providing a level playing field while eliminating unfair competitive advantages related to short measure, mislabeling and fraud. Attempting to identify specific regulated entities that should be responsible for paying regulatory fees to provide for self sufficiency of the program could unfairly burden those entities with the costs of a program that benefits every citizen and participant in the marketplace.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

Statutory changes to authorize assessing registration fees for commercial weighing and measuring devices have been proposed. The fees could be set at various levels to offset a specific, desired percentage of the program costs.

## Schedule IA - Part II: Examination of Regulatory Fees

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: **Weights and Measures**

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): **No**

What percent of the regulatory cost is currently subsidized? (0 to 100%) **65% General Revenue; 33% General Inspection Trust Fund**

If the program is subsidized from other state funds, what is the source(s)? **General Revenue and General Inspection Trust fund**

What is the current annual amount of the subsidy? **\$2,138,026 General Revenue; \$1,079,801 General Inspection Trust Fund**

Service/Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Weights and Measures	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Division of Marketing and  
Development  
Exhibits or Schedules

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services      **Budget Period: 2009-10**  
**Program:** Agricultural Dealer's Licenses  
**Fund:** General Inspection Trust Fund

**Specific Authority:** 534.48; 535.05; 604.15-604.34, F.S.  
**Purpose of Fees Collected:** Licensing of agricultural dealers, thoroughbred horse sales, and livestock markets; processing claims of Florida producers; administrative fines for enforcement of statutory requirements.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
	<b>FY 2007 - 08</b>	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>
<u>Receipts:</u>			
Licenses - Produce Dealers	974,628	1,003,866	1,033,981
Licenses - Livestock Markets	1,200	1,300	1,300
Licenses - Thoroughbred Horse Sales	3,000	3,100	3,100
Fees - L&B Complaint Filing Fee	7,350	5,500	5,500
Administrative Fines	229,179	200,000	200,000
Other Refunds	908		
Miscellaneous	370		
<b>Total Fee Collection to Line (A) - Section III</b>	<b>1,216,635</b>	<b>1,213,766</b>	<b>1,243,881</b>

**SECTION II - FULL COSTS**

	<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
	<b>FY 2007 - 08</b>	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>
<u>Direct Costs:</u>			
Salaries and Benefits	978,157	962,745	962,745
Other Personal Services			
Expenses	102,346	135,000	135,000
Contracted Services	16,684	20,000	20,000
Refunds	9,908	4,000	4,000
Data Processing	34,520	34,520	34,520
General Revenue S/C	62,782	88,605	90,803
Indirect Costs Charged to Trust Fund	44,093	44,093	44,093
<b>Total Full Costs to Line (B) - Section III</b>	<b>1,248,488</b>	<b>1,288,963</b>	<b>1,291,161</b>

**Basis Used:** Indirect costs are based on percentage of total salary dollars by program

**SECTION III - SUMMARY**

		<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
		<b>FY 2007 - 08</b>	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>
TOTAL SECTION I	(A)	1,216,635	1,213,766	1,243,881
TOTAL SECTION II	(B)	1,248,488	1,288,963	1,291,161
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(31,853)</b>	<b>(75,197)</b>	<b>(47,280)</b>

**EXPLANATION of LINE C:**

Expenditures in this document represent expenses in the Bureau of Agricultural Dealer's Licenses. The primary objective of the program is to protect Florida producers from serious economic harm in the event an agricultural dealer defaults on payment. The sole source of funding for this program is GITF. The program has decreased its operating deficit by almost 80% from FY 06-07 to FY 07-08. Utilizing its latitude with GITF, the Department provides additional funds from GITF to cover this deficit. No other funds are affected. Legislative changes enacted in 2005 allowed for the raising of license fees, filing fees, and administrative fines for the first time in many years. This fee increase coupled with an increase in the number of licensees appears to be closing the gap between revenues and expenditures. Although fluctuating costs and an aging State fleet may result in slightly higher expenses in 08-09.



## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Agricultural Dealer's Licenses

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The program has continued to refine its use of the database implemented in 2006 as a means to efficiently process application files. Almost all field investigators have been equipped with laptop computers acquired as hand-me-downs from other programs which were upgrading equipment. This has allowed the investigators to access files and the database from the field instead of having to call the main office or return to the field office before preparing reports. The program piloted a portable scanner in the field, but it appears that the cost of outfitting each field investigator with a scanner will be prohibitive at this time. The program has cut its operating deficit from \$148,262 last year to only \$31,853 this year.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

The program would still like to explore the possibility of adding a scanning component to its database. This would allow for the imaging of documents and afford the possibility of electronic processing. However, the initial cost of implementing this project is too high at this time.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. In 2004, an industry panel was convened to review the viability of the program. The panel participants reached the conclusion that the protection provided to Florida agricultural producers is a valuable service. The panel suggested several revisions to the statutes which were enacted during the 2005 legislative session.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The maximum license fee is set by statute.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Fees were increased in 2006 as a result of a legislative review. This increase, coupled with an increase in the number of licensees, has dropped the program's deficit from \$393,989 in FY 2005-06 to \$31,853 in FY 2007-08.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

The fees charged are reasonable. The business type is determined by the commodity handled. The fees do not differentiate between business types. There are no re-inspection fees assessed.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair

advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The fees are adequate to cover direct and indirect costs if the entire industry were compliant with the license and bond law. Fees were increased 2006 as a result of a legislative review. This increase, coupled with an increase in licenses issued, has begun closing the gap that existed for so long between revenues and expenditures. However, fees may have to be re-assessed if indirect costs and costs beyond the control of the program continue to climb.

This program provides a unique and valuable protection to one of the largest industries in Florida. This protection insures that those Florida producers who conduct business with properly licensed agricultural dealers will be provided an entry into the administrative process and security from the possibility of serious economic harm in the event that an agricultural dealer defaults on payment. This security is crucial to the Florida producer due to the perishable nature of agricultural products, the impracticality of recovering those products due to the speed with which they move through commerce, and the difficulty in identifying one producer's product from another's.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

One possibility is to increase the continuing violation penalty from \$100 per day to \$150 per day. This penalty begins accruing 15 days after a Final Order has been issued in which a dealer has been ordered to cease operating as a dealer in agricultural products. Given the number of Final Orders entered in the last fiscal year, this could potentially cover the subsidy.

## Schedule IA - Part II: Examination of Regulatory Fees

Department: **Agriculture & Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Agricultural Dealer's Licenses

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No

What percent of the regulatory cost is currently subsidized? (0 to 100%) 3%

If the program is subsidized from other state funds, what is the source(s)? General Inspection Trust Fund

What is the current annual amount of the subsidy? \$ 31,853

Service/Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
Agricultural Dealer's	License Fee	604.19	\$500	2005	Yes - 5H-1.003	\$170; \$230; \$300	General Inspection TF
	Supplemental Location Fee	604.19	\$100	2005	Yes - 5H-1.003	\$100	General Inspection TF
	Delinquent Renewal	604.19	\$100	2005	Yes - 5H-1.003	\$100	General Inspection TF
	Complaint Filing Fee	604.21(1)(a)	\$50	2005	No	\$50	General Inspection TF
	Administrative Fines	604.30(3)(a)	\$2,500	2005	No	\$2,500	General Inspection TF
	Continuing Violation Fine	604.30(3)(b)	\$100/day	2005	No	\$100/day	General Inspection TF
Livestock Markets	License Fee	534.48	\$100	1993	No	\$100	General Inspection TF
Thoroughbred Horse Sales	License Fee	535.05	\$300	1993	No	\$300	General Inspection TF

# Division of Aquaculture Exhibits or Schedules

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Aquaculture Certification  
**Fund:** General Revenue and General Inspection Trust Fund  
**Specific Authority:** 597.004  
**Purpose of Fees Collected:** To fund the Certification Program that regulates Aquaculture farms which produce products for sale to the public.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Aquaculture Certification Fees		46,780		49,000		98,000
<b>Total Fee Collection to Line (A) - Section II</b>	-	46,780	-	49,000	-	98,000

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits	439,104		504,479		504,479	
Other Personal Services						
Expenses	21,665		33,723		33,723	
Operating Capital Outlay						
Contracted Services		3,570				
Indirect Costs Charged to Trust Fund						
<b>Total Full Costs to Line (B) - Section III</b>	460,769	3,570	538,202	-	538,202	-

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	46,780	-	49,000	-	98,000
TOTAL SECTION II	(B)	460,769	3,570	538,202	-	538,202	-
<b>TOTAL - Surplus/Deficit</b>	(C)	(460,769)	43,210	(538,202)	49,000	(538,202)	98,000

**EXPLANATION of LINE C:**

The Division collects a statutory fee for this program. The legislature increased these fees in 2008 from \$50 to \$100. Excess revenues are used to cover the deficit in the Division's Shellfish Processing Plant Inspection Program.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture & Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Aquaculture Certification

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Improved planning, scheduling, and coordination to improve staff time efficiencies and effectiveness resulting in increased productivity per FTE, while reducing program cost per visit without having a detrimental impact on service provided to the farmer or the Division's program responsibilities. Cost savings have not been quantified.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

See answer to question #1 above.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes, the Legislature established the regulatory function in the Department of Agriculture and Consumer Services, Division of Aquaculture because aquaculture is an agricultural commodity and the Legislature wanted aquaculture to be part of the one-stop regulatory permitting process to eliminate duplication of regulation and agency oversight, and provide a concise, effective, and efficient permitting process for Florida aquaculture farmers.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The Florida Legislature set the original fee in FY 1997-98 and increased (doubled) the fee in FY 2008-2009 from \$50 to \$100.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

No, the number of field staff and the fee is set by the Florida Legislature. Reducing field staff (4 for 1,000 farms that have to be inspected twice a year) would greatly diminish the protection to the state's resources.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

No, the aquaculture certification fees are established in statute and apply equally.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The Aquaculture Certification Program benefits the general public by controlling exotic/invasive aquatic species, conserving waters of the state, and protecting, maintaining, and improving water quality for public use by providing that no waste water be discharged from aquaculture farms into any waters of the state without first being given the degree of treatment necessary to protect Florida waters. This program also promotes the utilization of



wildlife, fish, and other aquatic life, and provides for domestic, agricultural, industrial, recreational, and other beneficial uses. Raising fees to cover program costs will put the Florida Aquaculture Industry at a competitive disadvantage in both the National and International marketplace.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

Any reduction of the state subsidy will require the reduction and/or elimination of legislatively directed agency responsibilities which will directly impact all Florida residents and visitors, Florida's wildlife and Florida's natural resources.



**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Shellfish Processing Plant Inspection  
**Fund:** General Revenue and General Inspection Trust Fund  
**Specific Authority:** 597.020  
**Purpose of Fees Collected:** No fees collected.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
<b>Total Fee Collection to Line (A) - Section II</b>	-	-	-	-	-	-

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits	232,127	35,331	293,458	58,074	293,458	58,074
Other Personal Services						
Expenses	30,023		22,200		22,200	
Operating Capital Outlay						
Indirect Costs Charged to Trust Fund						
<b>Total Full Costs to Line (B) - Section III</b>	262,150	35,331	315,658	58,074	315,658	58,074

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08		ESTIMATED FY 2008 - 09		REQUEST FY 2009 - 10	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	-	-	-	-	-
TOTAL SECTION II	(B)	262,150	35,331	315,658	58,074	315,658	58,074
<b>TOTAL - Surplus/Deficit</b>	(C)	(262,150)	(35,331)	(315,658)	(58,074)	(315,658)	(58,074)

**EXPLANATION of LINE C:**

The Division collects no fees for this program. To do so in the amount necessary to support the program, would be prohibitive in most cases.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture & Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Shellfish Processing Plant Certification

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The Department recognizes that large operational efficiencies in this program are not feasible since: (1) the required level of inspector standardization, (2) the required level of inspections, and (3) the number of required inspections are prescriptive according to the National Shellfish Sanitation Program.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

Large operational efficiencies in this program are not feasible as stated in the answer to question #1 above.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes, the regulatory activity is an appropriate function and the agency should continue at the current level for this molluscan shellfish public health program. The current regulatory activity and level of regulatory activity is what is required by the National Shellfish Sanitation Program. Should the regulatory activity fall below that prescribed by the National Shellfish Sanitation Program, the safety of Florida produced and processed molluscan shellfish would be questioned and Florida shellfish would not be allowed to enter interstate commerce.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

No fees are charged for this molluscan shellfish public health program. The shellfish consuming public is the primary beneficiary of safe and wholesome shellfish.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

No fees are charged for this molluscan shellfish public health program. The shellfish consuming public is the primary beneficiary of safe and wholesome shellfish.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

No fees are charged for this molluscan public health program. There is no entity to charge.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

7. b). A reasonable fee cannot be charged to cover a significant part of the cost of the processing plant program. With the number of processors (100), it makes the unit cost approximately \$4,000. This fee would devastate this small industry. General Revenue is appropriated because the general public is the primary beneficiary of safe and wholesome shellfish. Consumers enjoy

eating molluscan shellfish raw, whole, and alive. Because consumers choose to consume shellfish in this product form (raw), and raw oysters, clams, and mussels can be passive vectors of enteric disease which pose a potential human health hazard, stringent regulations must occur. For these reasons, molluscan shellfish must continue to be regulated to ensure a safe product and to compete with other gulf states funded with other dollars.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

As stated above, there is no reasonable plan to reduce the state General Revenue funding by charging the molluscan shellfish processing industry. Because the consumer enjoys the public health benefits of this regulatory program, General Revenue funding remains the most appropriate revenue source. A possible alternative to General Revenue funding may be legislation to collect a tax at retail and food establishments for each shellfish sold to the consumer. However, such a tax may be burdensome on the Department of Revenue to collect and on food proprietors to implement.



Division of Animal Industry  
Exhibits or Schedules



**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Animal Disease Control  
**Fund(s):** General Revenue, General Inspection Trust Fund and Ag Emergency Eradication Trust Fund  
**Specific Authority:** 534, 534.021, 534.031, 534.041, 534.051, 534.083(1), 585.002(5)  
**Purpose of Fees Collected:** To facilitate the Division's ability to regulate the movement of animals into and within the state to control and or prevent dangerous animal diseases.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees</b> Form - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

<u>Receipts:</u>	<b>ACTUAL FY 2007 - 08</b>		<b>ESTIMATED FY 2008 - 09</b>			<b>REQUEST FY 2009 - 10</b>		
	GR	GITF	GR	GITF	AEETF	GR	GITF	AEETF
<u>Vet Inspection Certificate-Intrastate</u>		348,855		348,855			348,855	
<u>Apply for Approval Quarantine Facility</u>		3,500		3,283			3,283	
<u>Apply to Conduct EIA Tests</u>				17			17	
<u>Contagious Equine Metritis Service</u>		209,850		207,150			207,150	
<u>Vet Inspection Certificate -Large Interst.</u>		24,225		25,647			25,647	
<u>Vet Inspection Certificate -Equine Interst.</u>		91,530		91,025			91,025	
<u>Vet Inspection Certificate -Small Interst.</u>		114,940		124,785			124,785	
<u>Vet Accreditation Training</u>		7,399		6,900			6,900	
<u>EIA Reactor Horse Quarantine</u>		1,000		1,140			1,140	
<u>Health Certificate-Avian</u>		65		43			43	
<u>Equine Interstate Passport Card</u>		6,960		6,503			6,503	
<u>Negative EIA Test Verification Card</u>		2,380		2,405			2,405	
<u>Equine Event Extension</u>		14,155		13,332			13,332	
<u>Garbage Feeding Permit</u>		7,625		8,250			8,250	
<u>Transfer from AEETF</u>				8,250	62,138		8,250	62,138
<u>Transport Animal Carcass Permit</u>		8,400		7,767			7,767	
<u>Marks and Brands Recording</u>		7,645		6,513			6,513	

Marks and Brands Hauling

**Total Fee Collection to Line (A) - Section III**

**SECTION II - FULL COSTS**

	<b>ACTUAL FY 2007 - 08</b>		<b>ESTIMATED FY 2008 - 09</b>			<b>REQUEST FY 2009 - 10</b>		
	GR	GITF	GR	GITF	AEETF	GR	GITF	AEETF
Salaries and Benefits	4,385,506	161,223	3,862,372	233,635	62,138	3,862,372	233,635	62,138
Other Personal Services	32,836			61,642			61,642	
Expenses	312,911	75,239	172,800	43,200		172,800	43,200	
Operating Capital Outlay	36,549							
Transfers		305						
Contracted Services		31,220		28,000			28,000	
<u>Data Processing</u>		54,987		54,987			54,987	
<u>General Revenue S/C</u>		62,262		62,970			62,970	
Indirect Costs Charged to Trust Fund		20,071		20,071			20,071	
<b>Total Full Costs to Line (B) - Section III</b>	<b>4,767,802</b>	<b>405,307</b>	<b>4,035,172</b>	<b>504,505</b>	<b>62,138</b>	<b>4,035,172</b>	<b>504,505</b>	<b>62,138</b>

Basis Used:

Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY****ACTUAL FY 2007 - 08****ESTIMATED FY 2008 - 09****REQUEST FY 2009 - 10**

		GR	GITF	GR	GITF	AEETF	GR	GITF	AEETF
TOTAL SECTION I	(A)	-	858,094	-	870,855	62,138	-	870,855	62,138
TOTAL SECTION II	(B)	4,767,802	405,307	4,035,172	504,505	62,138	4,035,172	504,505	62,138
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(4,767,802)</b>	<b>452,787</b>	<b>(4,035,172)</b>	<b>366,350</b>	<b>-</b>	<b>(4,035,172)</b>	<b>366,350</b>	<b>-</b>

**EXPLANATION of LINE C:**

Expenditures in this document represent expenditures of the Bureau of Animal Disease Control. Our sole regulatory program is housed in this Bureau. The excess revenue in FY 07-08 was used, due to lack of designated funding for facility maintenance for the American Association of Veterinary Laboratory Diagnosticians (AAVLD) accreditation for the Bureau of Diagnostic Laboratory. In addition, the Division receives no funding for the Bio-safety Level 3 (BSL3) Laboratory at the Kissimmee Animal Disease Diagnostic Laboratory (KADDL). Expenditures here include utilities (\$110,000), maintenance agreements for highly sensitive equipment (\$79,000), laboratory supplies (\$75,000) and reagents for testing (\$60,000) for a total of approximately \$324,000. Some of the FY 07-08 proceeds in the GITF will be used for these recurring operating expenses for the BSL3 lab in Kissimmee and will also reduce the balance in FY 08-09.

The primary beneficiaries of animal disease surveillance are the citizens of Florida (ensuring an available and safe food supply and protection from zoonotic diseases, which are diseases that can spread from animal to human), animal industries and the animal population, not the individual animal or animal owner. Without the cooperation of the individual animal owner, an undiagnosed zoonotic and/or foreign animal disease could be introduced into the state and destroy economic segments of the industry (Florida, nationally and internationally), and severely impact public health in the event of a zoonotic disease epidemic. Current fees are reasonable as the objective is to encourage participation in the Division's disease surveillance and animal movement activities. With the funding of new laboratory facilities and the increased efficiencies, the operation cost and emergency repairs will be reduced as well as the need to submit samples to USDA.

The excess in revenues over expenditures helps to cover the deficit in the Division's Bureau of Diagnostic Labs. Excess will also be used to completely replace the HVAC system at the diagnostic lab in Kissimmee for approximately \$168,000. Excess revenues will also be used to cover future increases in health insurance and retirement costs. Lastly, we are experiencing a reduction in grant funding that is projected to decline even further. Therefore, the GITF will be needed to pay for expenditures normally covered with grant funding.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Animal Disease Control

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

The Division of Animal Industry has achieved operational efficiencies through enhanced emergency response capabilities, including establishing a State Animal Response Team (SART), establishing partnerships with other entities to assist in emergency response efforts and coordinating county emergency response efforts as related to animal issues. Establishing and maintaining a close working relationship with partners in the Department of Health, Fish and Wildlife Commission, and the University of Florida, College of Veterinary Medicine has greatly improved our operational efficiencies and improved services in response to natural disasters such as hurricanes and to outbreaks of Dangerous Transmissible Diseases. These efforts have improved services to the citizens of Florida. In FY 08/09, the Division eliminated 6 FTE due to budget cuts. These cuts did not translate into any cost savings to the Division, as our budget was reduced in Salaries and Benefits by the amount of the eliminated positions.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

As a result of budget reductions, regulatory oversight can be expected to decrease with lessened personnel to carry out disease prevention and control activities. Operational efficiencies have been implemented in an attempt to meet performance measures with reduced personnel. Additional budget reductions and further reductions in personnel can be expected to negatively impact on program delivery and a reduction in performance measure accomplishment.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes. The primary beneficiaries of animal disease surveillance are the citizens of Florida (ensuring an available and safe food supply and protection from zoonotic diseases – diseases that can spread from animal to human), animal industries and

the animal population, not the individual animal or animal owner. The Division of Animal Industry has experienced significant reduction in staff over the past 5 years as our programs have evolved. Recently, our responsibilities have been expanded to include enhanced Emergency Response (including establishing a State Animal Response Team (SART), establishing partnerships with other entities to assist in emergency response efforts and coordinating county emergency response efforts as related to animal issues), responsibility for the Emergency Support Function (ESF)-17 at the State Emergency Operations Center (SEOC), increased assistance on animal cruelty/abuse investigations, increased inspections at companion animal-related facilities (pet cemeteries, pet stores and other sellers of dogs and cats) and significantly increased management of cooperative agreements and grants from a variety of federal entities. In addition, responsibilities for enhanced animal disease surveillance and monitoring of animals introduced into the state that pose a risk of introducing diseases such as avian influenza, chronic wasting disease, bovine spongiform encephalopathy, piroplasmiasis, and tuberculosis have increased significantly. These issues are all tied to our regulatory service, Introduction of Animals into the State, for the prevention, control, and eradication of Dangerous Transmissible Diseases of Animals. Therefore, the continuation of all funding sources, including General Revenue, is justified due to the critical animal and public health benefit.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

No. Fees charged are set and capped by statute and/or rule. As disease surveillance is our primary objective, it is incumbent on the Division to maintain fees at a reasonable level to encourage citizens, livestock owners, veterinarians, etc. to continue to participate in our surveillance activities. This surveillance for Dangerous Transmissible Diseases generally does not benefit the individual animal owner, but enables regulatory controls to be implemented to prevent the spread of disease.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

No. Fees charged are set and capped by statute and/or rule and the Legislature and past Governors have seen this program as one that protects the general public and has appropriated mostly General Revenue to continue its functions. As disease surveillance and control are our primary objectives, it is incumbent on the Division to maintain fees at a reasonable level to encourage citizens, livestock owners, veterinarians, etc. to continue to participate in our surveillance activities.

The primary beneficiaries of animal disease surveillance are the citizens of Florida (ensuring an available and safe food supply and protection from zoonotic diseases – diseases that can spread from animal to human), animal industries and the animal population, not the individual animal or animal owner. Without the cooperation of the individual animal owner, an undiagnosed zoonotic and/or foreign animal disease could be introduced into the state and destroy economic segments of the industry (Florida, nationally and internationally), and severely impact animal and public health in the event of a zoonotic disease epidemic. As an example, because of worldwide concerns related to avian influenza in birds and people, our Division has greatly expanded laboratory testing of domestic birds and wild birds. This is part of a nationwide effort to carry out surveillance for this very serious animal and public health threat.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

Current fees are reasonable as the objective is to encourage participation in the Division's disease surveillance and animal movement activities. A recent survey of the state of Louisiana, Alabama and Georgia Animal Health Divisions revealed they are dependent upon General Revenue with the only regulatory fee of \$25 being charged by Alabama for the licensing of livestock markets/haulers.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) Information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) Demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as “providing consumer benefits” or “promoting health, safety and welfare” are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover

program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

The primary beneficiaries of animal disease surveillance and control are the citizens of Florida (ensuring an available and safe food supply and protection from zoonotic diseases – diseases that can spread from animal to human), animal industries and the animal population, not the individual animal or animal owner. The Division of Animal Industry has experienced significant reduction in staff over the past 5 years as our programs have evolved. Recently, our responsibilities have been expanded to include enhanced Emergency Response (including establishing a State Animal Response Team – SART, establishing partnerships with other entities to assist in emergency response efforts and coordinating county emergency response efforts as related to animal issues), responsibility for the Emergency Support Function (ESF)-17 at the State Emergency Operations Center (SEOC), increased assistance on animal cruelty/abuse investigations, increased inspections at companion animal related facilities (pet cemeteries, pet stores and other sellers of dogs and cats) and significantly increased management of cooperative agreements and grants from a variety of federal entities. In addition, responsibilities for enhanced animal disease surveillance and monitoring of animals introduced into the state that pose a risk of introducing diseases such as avian influenza, chronic wasting disease, bovine spongiform encephalopathy, piroplasmiasis, and tuberculosis have increased significantly. These issues are all tied to our regulatory service – Introduction of Animals into the State. Therefore, the continuation of all funding sources, including General Revenue, is justified due to the critical public health benefit.

All other states carry out regulatory services and oversight of animal health of livestock and poultry. Without these functions being carried out in Florida, agricultural animal industries could not market their animals or products to other states, because of other state or federal restrictions. If producers were required to bear these additional costs, the competitive economic disadvantage would be so great that they could be expected to go out of business. Again, these regulatory measures serve to safeguard not the individual producer, but the animal industries as a whole and to protect animal and public health.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

As the majority of the costs of our program are either Salaries and Benefits or facilities/fuel costs, we would be forced to eliminate FTEs and reduce our animal disease surveillance and disease control efforts if state subsidies are further reduced.

## Examination of Regulatory Fees - Part II

Department: **Agriculture & Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Animal Disease Control

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No

What percent of the regulatory cost is currently subsidized? (0 to 100%) 91%

If the program is subsidized from other state funds, what is the source(s)? General Revenue

What is the current annual amount of the subsidy? \$4,767,802 GR

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed
Introduction of Animals Into the State	Livestock; Marks and Brands; Stamping Beef	534	\$5; \$1,000	1975, 1991, 1993, 1997	No	\$5; \$1,000
	Recording of marks or brands	534.021	\$10	1997	No	\$10
	Certified copies of marks and brands	534.031	\$2	1975	No	\$2
	Renewal of certificate of mark or brand	534.041	\$5	1997	No	\$5
	Transfer of ownership of mark or brand	534.051	\$10	1975	No	\$10
	Livestock hauler's permit; display of permit on vehicle; Bill of Lading	534.083(1)	\$5	1991	No	\$5
Introduction of Animals Into the State	Animal Industry	585.002(5)	\$200; \$1,500*	2005	No	\$5-\$200; *\$1,500 for CEM only
Introduction of Animals Into the State	5C-4, Animal Health Regulations for Exhibition					
	Equine Interstate Passport Card (DACS-09207) Application (DACS 09219)	585.002(5)	\$200	2006	Yes	\$15; \$5
	Negative EIA Test Verification Card (DACS-09160) Application (DACS 09206)	585.002(5)	\$200	2006	Yes	\$5



Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed
	Equine Event Extension (A Permit)(DACS-09051)	585.002(5)	\$200	2006	Yes	\$10; \$5
Introduction of Animals Into the State	5C-11, Swine Garbage Feeding					
	Application for Permit to Feed Garbage to Swine (AI-15/DACS-09015)	585.002(5)	\$200	2002	Yes	\$50, \$100, \$150, \$200
Introduction of Animals Into the State	5C-18, Equine Infectious Anemia					
	Request for a permit to conduct EIA tests	585.002(5)	\$200	1973, 1994, 1999	Yes	\$50
	Request for approved quarantine premises	585.002(5)	\$200	1999	Yes	\$200
Introduction of Animals Into the State	5C-22, Contagious Equine Metritis					
	Request for inspection for approval as a quarantine facility	585.002(5)	\$200	1993	Yes	\$150, \$100
	Entry of horse into CEM testing/treatment program	585.002(5)	\$1,500	1993	Yes	\$1,250, \$750
Introduction of Animals Into the State	5C-23, Transporting Animal Carcasses/Refuse					
	Application and Permit to Transport Animal Carcasses/Refuse (DACS-09056)	585.002(5)	\$200	1999	Yes	\$200
Introduction of Animals Into the State	5C-24, Schedule of Fees for Services					
	Official Certificate of Veterinary Inspection (OCVI) (DACS-09000)	585.002(5)	\$200	1999, 2002	Yes	\$65
	OCVI Equine (DACS-09002)	585.002(5)	\$200	1999, 2002	Yes	\$65
	VS Form 9-3	585.002(5)	\$200	1999, 2002	Yes	\$50

Service / Product Regulated	Specific Fee Title	Statutory Authority for Fee	Maximum Fee Authorized (cap)	Year of Last Statutory Revision to Fee	Is Fee Set by Rule? (Yes or No)	Current Fee Assessed
	OCVI Avian (DACS-09023)	585.002(5)	\$200	1999, 2002	Yes	\$100
	Special Individual	585.002(5)	\$200	1999, 2002	Yes	\$30
	OCVI Dog Cat Movement (DACS-09085)	585.002(5)	\$200	1999, 2002	Yes	\$65
	OCVI Dog Cat Sale (DACS-09086)	585.002(5)	\$200	1999, 2002	Yes	\$65


Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
General Inspection Trust Fund
General Inspection Trust Fund
General Inspection Trust Fund

Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
General Inspection Trust Fund
General Inspection Trust Fund
General Inspection Trust Fund
General Inspection Trust Fund
General Inspection Trust Fund

Fund Fee Deposited in  
(indicate General Revenue or  
Specific Trust Fund)

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# Division of Plant Industry Exhibits or Schedules

**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services **Budget Period: 2009-10**  
**Program:** Citrus Budwood Registration  
**Fund(s):** General Revenue, Citrus Inspection Trust Fund, Plant Industry Trust Fund  
**Specific Authority:** Ch 581.021.14, F.S.  
**Purpose of Fees Collected:** Specialized pathogen testing on citrus budwood and the distribution and preservation of clean budwood stock.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees Form</b> - Part I and II.)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	CITF	PITF	GR	CITF	PITF	GR	CITF	PITF
Receipts:									
Citrus Budwood Fees			124,628			42,000			43,000
Sale of Fruit			17,681			51,000			53,000
Misc. Refunds						9,000			12,000
Industry Fees - Trfr from F&V		724,306			740,000			740,000	
<b>Total Fee Collection to Line (A) - Section III</b>	<b>0</b>	<b>724,306</b>	<b>142,309</b>	<b>0</b>	<b>740,000</b>	<b>102,000</b>	<b>0</b>	<b>740,000</b>	<b>108,000</b>

**SECTION II - FULL COSTS**

	ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
	GR	CITF	PITF	GR	CITF	PITF	GR	CITF	PITF
Direct Costs:									
Salaries and Benefits		647,703			653,999	99,870		653,999	99,870
Other Personal Services					1,000			1,000	
Expenses	6,060	72,197		6,077	75,682	69,500	6,077	75,682	69,500
Operating Capital Outlay									
Data Processing			2,987						
General Revenue S/C									
TR/DMS/HR Svcs.					5,469			5,469	
Contracted Services		4,406			3,850			3,850	
Indirect Costs Charged to Trust Fund									
<b>Total Full Costs to Line (B) - Section III</b>	<b>6,060</b>	<b>724,306</b>	<b>2,987</b>	<b>6,077</b>	<b>740,000</b>	<b>169,370</b>	<b>6,077</b>	<b>740,000</b>	<b>169,370</b>

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08			ESTIMATED FY 2008 - 09			REQUEST FY 2009 - 10		
		GR	CITF	PITF	GR	CITF	PITF	GR	CITF	PITF
TOTAL SECTION I	(A)	0	724,306	142,309	0	740,000	102,000	0	740,000	108,000
TOTAL SECTION II	(B)	6,060	724,306	2,987	6,077	740,000	169,370	6,077	740,000	169,370
<b>TOTAL - Surplus/Deficit</b>	<b>(C)</b>	<b>(6,060)</b>	<b>(0)</b>	<b>139,322</b>	<b>(6,077)</b>	<b>0</b>	<b>(67,370)</b>	<b>(6,077)</b>	<b>0</b>	<b>(61,370)</b>

**EXPLANATION of LINE C:**

Program fees cover the registration costs of Citrus Budwood source trees. The program is funded by collection of industry fees, which are deposited into the Citrus Inspection Trust Fund (CITF) and Plant Industry Trust Fund (PITF). A portion of the FY 07-08 surplus in PITF goes to offset the deficit in the Apiary Program. Projected deficits for FY 08-09 and FY 09-10 will be addressed through reduced spending.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions Program:**  
Citrus Budwood Registration

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Pathogen testing operational efficiencies were increased last fiscal year with the purchase of new laboratory testing equipment. Real-time Polymerase Chain Reaction (qPCR) tests are now implemented that allow us to reduce the frequency of sample collection. This saves us considerable expense as one collection and one extraction now replaces multiple collections and extractions. Testing expenses are actually higher for this type of test, but labor savings allow us to do more testing without having to add additional staff. The number of tests run last fiscal year increased from 6,000 to 33,623 with the implementation of qPCR. Because of the citrus greening impact on Florida's citrus industry, the PCR tests for citrus greening are required for all nursery source trees.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

Once the new qPCR testing is optimized for other citrus pathogens, tests never before run will allow us to bring the standard of testing in the Florida Budwood Clean Stock Program up to the level of other world class budwood programs. This saves us considerable expense because to do this without qPCR would require the building of numerous state-of-the art temperature-controlled greenhouses, additional staff, increased utility bills, etc. Other tests currently being run may be replaced by more sensitive tests requiring Real-time PCR, a more sensitive PCR test that will bolster our customer's confidence in our results. Savings include not having to require additional greenhouses or staff to implement new tests.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Yes, citrus industry stakeholder groups and industry task forces have expressed that clean budwood is critical to the survival of the industry in dealing with citrus greening and other endemic and exotic graft-transmissible diseases of citrus.



The specialized pathogen testing provided by this agency is not available to individual growers through the private sector and distribution and preservation of clean stock has to be centralized and made available to all stakeholders. There are no other agencies or programs in either the governmental or private realm that provide these services.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The citrus budwood regulation fees are established and capped by Chapter 581.031.14 (d), F.S. at \$5. Program fees cover the registration costs of source trees, but not other program fees, as the division is prohibited from charging fees above actual expenses for services rendered.

The majority of the programs budget is funded by a citrus inspection box tax on the citrus industry. This fee is collected by the Division of Fruits and Vegetables and transferred to the Division of Plant Industry to cover the major portion of our expenses.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

Yes, they are adequate to cover both direct and indirect costs.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

Since only one type of entity or portion of the citrus industry is regulated by this Citrus Budwood Registration fee, there are no differences between the types of customers or services that we provide and a consistent fee is reasonable and well-received by the customers. The annual source tree registration fees reflect an amount of time and input into indexing practices for plant pathogens that require a set amount of inputs that can be applied to all end users equally as each tree is required to have the same tests, therefore, the cost of services is determined by the

customer's number of trees requiring registration. Re-inspection is not an issue as graft-transmissible pathogen positive or negative results determine tree status and the fee covers testing costs that are required regardless if a pathogen is determined to be present or not.

The majority of the Budwood Program is covered by a citrus industry fruit tax that is assessed on each box of fruit harvested. This tax is assessed fairly because it is applied on each box of citrus that is harvested. The taxes collected are deposited into the Citrus Inspection Trust Fund and then appropriated to the Citrus Budwood Protection Program. The fee is considered fair and equitable as the Citrus Budwood Program benefits all segments of the Florida Citrus Industry by providing high quality citrus propagation stock to all parties.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.
  
- a) Approximately 99.7% of the program is funded from trust funds, the majority of which come from the Citrus Inspection Trust Fund (CITF). Funds deposited into the CITF are collected by the Division of Fruits and Vegetables from the Citrus Inspection Box Tax. This fee is assessed on each box of citrus fruit harvested in the state and a portion is used to cover the cost of the Citrus Budwood Registration Program.
  
8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

No plan needed.



**SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS**

**Department:** Agriculture and Consumer Services  
**Program:** Apiary Inspection  
**Fund(s):** General Revenue, Federal Grants TF, Ag Emer Eradication TF, Plant Industry TF  
**Specific Authority:** Ch 581.021.14, F.S.  
**Purpose of Fees Collected:** To help support the inspection and certification of honeybee colonies in order to maintain a healthy Apiary Industry.

**Budget Period: 2009-10**

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

<input checked="" type="checkbox"/>	Regulatory services or oversight to businesses or professions (Complete Sections I, II, and III and attach <b>Examination of Regulatory Fees Form - Part I and II</b> .)
<input type="checkbox"/>	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

**SECTION I - FEE COLLECTION**

Receipts:	ACTUAL FY 2007 - 08				ESTIMATED FY 2008 - 09				REQUEST FY 2009 - 10			
	GR	FGTF	AEETF	PITF	GR	FGTF	AEETF	PITF	GR	FGTF	AEETF	PITF
Apiary Registration				34,655				34,650				34,650
Fees - Raw Prod Insp - OT - USDA												
Special Inspections - Apiary				17,616				17,615				17,615
Misc. Other				75				75				75
U.S. Grants - Other		22,827										
Transfer from DOR							919,817				919,817	
<b>Total Fee Collection to Line (A) - Section III</b>	<b>0</b>	<b>22,827</b>		<b>52,346</b>	<b>0</b>	<b>0</b>	<b>919,817</b>	<b>52,340</b>	<b>0</b>	<b>0</b>	<b>919,817</b>	<b>52,340</b>

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2007 - 08				ESTIMATED FY 2008 - 09				REQUEST FY 2009 - 10			
	GR	FGTF	AEETF	PITF	GR	FGTF	AEETF	PITF	GR	FGTF	AEETF	PITF
Salaries and Benefits	697,775				129,780		550,000		129,780		550,000	
Other Personal Services	26,123	22,385		72,869	47,200		19,817	71,225	47,200		19,817	71,225
Expenses	49,033	442		18,649	34,410			28,800	34,410			28,800
Operating Capital Outlay												
Data Processing				10,889								
Risk Management Insurance					8,207				8,207			
Apiary Indemnities					36,000				36,000			
Refunds				20								
Contracted Services	196,636			14,792	731		350,000	19,759	731		350,000	19,759
<b>Total Full Costs to Line (B) - Section III</b>	<b>969,567</b>	<b>22,827</b>	<b>0</b>	<b>117,219</b>	<b>256,328</b>	<b>0</b>	<b>919,817</b>	<b>119,784</b>	<b>256,328</b>	<b>0</b>	<b>919,817</b>	<b>119,784</b>

Basis Used: Indirect costs are based on percentage of total salary dollars by program.

**SECTION III - SUMMARY**

		ACTUAL FY 2007 - 08				ESTIMATED FY 2008 - 09				REQUEST FY 2009 - 10			
		GR	FGTF	AEETF	PITF	GR	FGTF	AEETF	PITF	GR	FGTF	AEETF	PITF
TOTAL SECTION I	(A)	0	22,827	0	52,346	0	0	919,817	52,340	0	0	919,817	52,340
TOTAL SECTION II	(B)	969,567	22,827	0	117,219	256,328	0	919,817	119,784	256,328	0	919,817	119,784
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(969,567)</b>	<b>0</b>	<b>0</b>	<b>(64,873)</b>	<b>(256,328)</b>	<b>0</b>	<b>0</b>	<b>(67,444)</b>	<b>(256,328)</b>	<b>0</b>	<b>0</b>	<b>(67,444)</b>

**EXPLANATION of LINE C:**

The registration and inspection fees that are collected are not sufficient to cover actual program costs. However, the actual costs incurred are insignificant in comparison to the service rendered and its impact on Florida's public and economic health. If one calculates the value of all citrus, watermelons, strawberries, blueberries, squash, cucumber, avocado, lychee, longans, and other minor agricultural crops, and crops produced by home gardeners, this is the partial value of honey bees, as all of these crops need pollen transferred from one flower to another in order for this pollination and fertilization to produce a marketable crop. The industry is under considerable financial pressure from imported honey, low pollination fees, and ever increasing overheads, and cannot shoulder additional costs directly. The contribution of our Africanized Honey Bee activities for all of Florida's citizens, tourists, guests, outdoor enthusiasts, and others is a PUBLIC SAFETY SERVICE. Raising fees sufficiently to cover these program costs would require so high an assessment from the industry as to damage its competitive position with similar entities in other states.

## Schedule IA - Part I: Examination of Regulatory Fees

**Department:** Agriculture and Consumer Services

**Regulatory Service to or Oversight of Businesses or Professions**

**Program:** Apiary Inspection Program

1. What recent operational efficiencies have been achieved to either decrease costs or improve services? If costs have been reduced, how much money has been saved during the fiscal year?

Operating with budget constraints, we have continued to maintain our priority regulatory registration, inspection, and compliance agreements and monitoring African honey bee (AHB) oversight. Best Management Practices (BMPs) under industry direction have been instituted which requires sampling by apiary field inspectors and analysis in the Apiary Identification Laboratory in Gainesville without an increase in staffing. Apiary field supervisors and field staff have been trained to give public, organizational, state and community presentations on a variety of honey bee topics including, but not limited to, the defensive and aggressive African bee and honey bee health issues.

Services to all Florida's consumers have increased without additional resources being required; however, there is extremely limited flexibility to meet any additional demands without increasing resources.

2. What additional operational efficiencies are planned? What are the estimated savings associated with these efficiencies during the next fiscal year?

The bottleneck that has resulted in diminished efficiencies occurs in the Division's USDA Certified African Bee Identification Laboratory. The growing presence of AHB in Florida and the concerns throughout the Southeast have taxed the FDACS' AHB ID Laboratory. These concerns have resulted in dozens of samples being submitted for USDA-ID and FABIS (Fast African Bee Identification System) for processing from public, private, governmental, and industry groups in Florida, plus from the Departments of Agriculture in sister states in the Southeast.

We strive to gain efficiencies by training select apiary inspectors in the most labor intensive aspects of the AHB morphometric identification which is preparing samples. Preparing samples for USDA-ID/FABSI AHB-ID requires dissection and mounting of selected honey bee body structures on microscope slides.

3. Is the regulatory activity an appropriate function that the agency should continue at its current level?

Honey bees are the keystone foundational pollinator species for successful agricultural production of fruits, vegetables, and berry crops in Florida. Without a healthy and vibrant Apiculture Industry, the production of citrus, vegetables, watermelons, strawberries, blueberries, and many other crops would suffer from lack of pollination that allows a fruit, melon, or berry to form. Without pollination there is no crop and no agriculture business revenue.

African bees, the defensive and aggressive relative of the gentle, managed honey bee are increasing their presence in Florida. Florida has lost livestock, pets, and wildlife as a result of mass stinging events. Dozens of citizens have sought emergency medical attention from non-fatal stinging encounters with African bees. In 2008, Florida experienced its first human fatality from an African swarm attack in the Kissimmee area. The Division of Plant Industry (DPI) tracks the movement and spread of these dangerous insects by monitoring and maintaining over 500 African bee traps in the state of Florida. DPI maintains the only USDA-Certified African Bee Identification personnel in the Southeast.

This regulatory activity should continue at its current level at a minimum; expansion in the future is highly advised due to the increasing spread of the Africanized honey bee.

4. Are the fees charged for the regulatory service or oversight to businesses or professions based on revenue projections that are prepared using generally accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The fees for registration are established and capped by Chapter 586.045 (3), F.S. at \$100 and do not cover the cost of the regulatory oversight. Special inspection fees, as established by rule, cover the cost of providing the special regulatory service. The Division is prohibited from charging special inspection fees in excess of the cost to provide the service.

5. Are the fees charged for the regulatory service or oversight to businesses or professions adequate to cover both direct and indirect costs of providing the regulatory service or oversight?

No. The registration and inspection fees that are collected are insignificant in comparison to the services rendered. The industry is under considerable financial pressure from imported honey, low pollination fees, colony collapse

disorder, and ever-increasing overheads, and cannot shoulder additional direct costs.

The contribution of our Africanized honey bee activities for all of Florida's citizens, tourists, guests, outdoor enthusiasts, and others is a PUBLIC SAFETY SERVICE. Educating to prevent more human fatalities in Florida is our ultimate concern.

6. Are the fees charged for the regulatory service or oversight to businesses or professions reasonable and do they take into account differences between the types of professions or businesses that are regulated? For example, do fees reflect the amount of time required to conduct inspections by using a sliding scale for annual fees based on the size of the regulated business; or do fees provide a financial incentive for regulated entities to maintain compliance with state standards by assessing a re-inspection fee if violations are found at initial inspection?

Since only one type of entity or portion of the Apiculture Industry is regulated by fees, there are no differences between types of consumers or services, except the number of colonies managed, that we provide as a value for consumers. The fees do not reflect the amount of time, and resources that are expended on our regulatory or public safety efforts.

7. If the fees charged for the regulatory services or oversight to businesses or professions are **not** adequate to cover direct and indirect program costs provide either:
  - a) information regarding alternatives for realigning revenues or costs to make the regulatory service or program totally self-sufficient, including any statutory changes that are necessary to implement the alternative; or
  - b) demonstrate that the service or program provides substantial benefits to the public which justify a partial subsidy from other state funds, specifically describing the benefits to the general public (statements such as 'providing consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the general public, including pollution reduction, wildlife preservation, and improved drinking water supply. Alternatively, the agency can demonstrate that requiring self-sufficiency would put the regulated entity at an unfair advantage. For example, raising fees sufficiently to cover program costs would require so high an assessment as to damage its competitive position with similar entities in other states.

If one calculates the value of all citrus, watermelons, strawberries, blueberries, squash, cucumber, avocado, lychee, longans, and other agricultural crops, and crops produced by home gardeners, it would only reflect the partial value of

honey bees, as all of these crops need pollen transferred from one flower to another in order for this pollination and fertilization to produce a marketable crop. These figures can be calculated because of the presence of healthy honey bee colonies that are the result of an active, knowledgeable, and consumer oriented apiary inspection section.

Surveying, training, and educational outreach efforts through and with the Africanized Honey Bee (AHB) Working Group and the African Honey Bee Inter-Agency Coordination Group helps alert all segments of the state to the AHB situation, provides appropriate awareness and helps ensure proper planning. Public safety and the value of human life is incalculable.

Raising fees sufficiently to cover these program costs would require so high an assessment from the industry as to damage its competitive position with similar entities in other states.

The presence of healthy honey bees in Florida is essential to the safety and supply of our food at the state and national level.

8. If the regulatory program is not self-sufficient and provides a public benefit using state subsidization, please provide a plan for reducing the state subsidy.

Honey bees provide benefits that only they can provide in the form of pollination. Without pollination, many segments of Florida agriculture would experience a drop in revenue from the decrease in production. Honey bees also provide free pollination in Florida's natural environment, producing the fruits, nuts and berries that feed all segments of Florida wildlife.

There is no plan that can substitute for the benefits that a healthy-managed honey bee industry receives through apiary inspection for pests, parasites and diseases.





Agriculture Management  
Information Center  
Exhibits or Schedules

Agriculture Management Information Center Schedule IV-A																
Agriculture Management Information Center																
Fiscal Year 2009/2010 Legislative Budget Request																
Schedule IV-A																
ISSUE NO.		Admin.	Standards	Dairy Ind.	Marketing	F & V	Plant Ind.	Animal Ind.	Con. Serv.	Forestry	Ag. Env. Ser.	Food Safety	Aquaculture	Licensing	TOTAL	
SALARIES AND BENEFITS																
1001000	Estimated Expenditures - Operations	528,392	156,528	31,669	216,244	90,479	230,719	177,338	141,146	625,202	230,719	380,008	43,425	120,088	2,971,957	
1001910	Life Insurance Adjustments Fiscal Year 2008-09	(233)	(69)	(14)	(95)	(40)	(102)	(78)	(62)	(275)	(102)	(168)	(19)	(53)	(1,310)	
1001800	State Health Insurance Adjustments for FY 2008-09	1,350	400	81	552	231	589	453	361	1,597	589	971	111	307	7,592	
26A2000	Life Insurance Adjustments FY 2008-09 - 6 Month Annualization	(233)	(69)	(14)	(95)	(40)	(102)	(78)	(62)	(275)	(102)	(168)	(19)	(53)	(1,310)	
26A1800	State Health Insurance Adjustments for FY 2008-09 - 10 Month Annualization	6,749	1,999	404	2,762	1,156	2,947	2,265	1,803	7,985	2,947	4,854	555	1,534	37,960	
	Total Salaries and Benefits	536,025	158,789	32,126	219,368	91,786	234,051	179,900	143,186	634,234	234,051	385,497	44,053	121,823	3,014,889	
OTHER PERSONAL SERVICES																
1001000	Estimated Expenditures - Operations	24,419	7,234	1,464	9,994	4,181	10,663	8,195	6,523	28,893	10,663	17,562	2,007	5,550	137,348	
	Total Other Personal Services	24,419	7,234	1,464	9,994	4,181	10,663	8,195	6,523	28,893	10,663	17,562	2,007	5,550	137,348	
EXPENSES																
1001000	Estimated Expenditures - Operations	552,728	163,737	33,127	226,204	94,647	241,346	185,506	147,647	653,997	241,346	397,510	45,426	125,619	3,108,840	
	Total Expenses	552,728	163,737	33,127	226,204	94,647	241,346	185,506	147,647	653,997	241,346	397,510	45,426	125,619	3,108,840	
OPERATING CAPITAL OUTLAY																
1001000	Estimated Expenditures - Operations	28,065	8,314	1,682	11,485	4,806	12,254	9,419	7,497	33,207	12,254	20,183	2,306	6,378	157,850	
26A0000	Enterprise Data Communications Non Recurring	(5,840)	(1,730)	(350)	(2,390)	(1,000)	(2,550)	(1,960)	(1,560)	(6,911)	(2,550)	(4,200)	(481)	(1,328)	(32,850)	
	Total Operating Capital Outlay	22,225	6,584	1,332	9,095	3,806	9,704	7,459	5,937	26,296	9,704	15,983	1,825	5,050	125,000	
SPECIAL CATEGORY																
1001000	Estimated Expenditures - Contracted Services (100777)	154,706	45,829	9,272	63,313	26,491	67,552	51,922	41,326	183,051	67,552	111,261	12,714	35,160	870,149	
1001000	Estimated Expenditures - TR/DMS/HR SVCS/STW Contract (107040)	3,063	907	184	1,253	524	1,337	1,028	818	3,624	1,337	2,202	252	696	17,225	
	Total Special Categories	157,769	46,736	9,456	64,566	27,015	68,889	52,950	42,144	186,675	68,889	113,463	12,966	35,856	887,374	
	Total Agriculture Management Information Center	1,293,166	383,080	77,505	529,227	221,435	564,653	434,010	345,437	1,530,095	564,653	930,015	106,277	293,898	7,273,451	

**SCHEDULE IX: MAJOR AUDIT FINDINGS AND RECOMMENDATIONS**

**Budget Period: 2009-2010**

**Department:** Agriculture and Consumer Services

**Chief Internal Auditor:** Gary Braddock

**Budget Entity:** \_\_\_\_\_

**Phone Number:** (850) 245-1360

(1) REPORT NUMBER	(2) PERIOD ENDING	(3) UNIT/AREA	(4) SUMMARY OF FINDINGS AND RECOMMENDATIONS	(5) SUMMARY OF CORRECTIVE ACTION TAKEN	(6) ISSUE CODE
IA 0708-01	November 2007	Motor Vehicles and Assignment Use Policies	None	Not Applicable	
IA 0708:02-10, 12-15	Fiscal Year 2006-2007	Performance Measure Accuracy	For 8 of 12 performance measures selected, the reported numbers for Fiscal Year 2006-2007 are fairly stated. For two measures the reported percentages are fairly stated, however, the numerator and denominator were not fairly stated in one, and we could not determine if the numerator was fairly stated in the other. The accuracy of the reported number could not be determined for the remaining two performance measures. Recommendations: change performance measure name, clearly define the performance measure in the Validity and Reliability Statement, strengthen controls, modify database, and evaluate how performance is measured.	The Divisions/Office have agreed with the conclusions and are implementing the recommendations.	
IA 0708-11	February 2008	Attendance and Gate Admission Revenue - 2008 Florida State Fair	None	Not Applicable	
IA 0708-16	January 2006 to May 2008	Fraud Data Analysis - Duplicate Reimbursement	None	Not Applicable	

AG 2008-054	March 2005 to June 2007	Concealed Weapons Licensing - Operational Audit	<p>Finding: For fiscal years 2005-06 and 2006-07, the Department's legislatively-approved performance measures and standards required that 90 percent of license revocations or suspensions be initiated within 20 days after receipt of disqualifying information. Audit tests disclosed that Department staff did not accurately record the date upon which reports of disqualifying events or conditions were received. Recommendation: To improve the reliability of Department data related to the timeliness of concealed weapons and firearm license suspensions and revocations, match report dates should be accurately recorded. Department management should also periodically monitor staff compliance with Department procedures requiring the accurate recording of the date match reports are received.</p> <p>Finding: Upon receipt of information concerning disqualifying events and conditions, the Department did not always timely initiate administrative actions to suspend, revoke, or deny licenses. Additionally, we noted that the Department did not always timely initiate application suspensions. Recommendation: To promote the efficient handling of license application suspensions and ensure that concealed weapons or firearms licenses are not issued to and held by unqualified persons, we recommend the Department increase its efforts to initiate administrative actions within 20 days of the receipt of disqualifying information.</p> <p>Finding: The Department sometimes sent unnecessary correspondence to concealed weapon and firearm licensees and error or omission letters which did not properly reflect actual deficiencies in the applications received. Recommendation: We recommend the Department review the instances cited above and consider whether processing enhancements, including the implementation of service of process guidelines, may be appropriate.</p> <p>Finding: The Department, in consultation with FDLE, should consider developing a methodology that would allow the efficient use of outstanding warrant information to identify licensees and applicants who are awaiting disposition of formal charges relating to a disqualifying crime. To fully evaluate the cost-effectiveness of the use of warrant information, the Department should initially approach using the information through a pilot project. Recommendation: The Department, in consultation with FDLE, should consider developing a methodology that would allow the efficient use of outstanding warrant information to identify licensees and applicants who are awaiting disposition of formal charges relating to a disqualifying crime. To fully evaluate the cost-effectiveness of the use of warrant information, the Department should initially approach using the information through a pilot project.</p>	<p>The match report was reformatted to improve the accuracy of recording the date on which the match report was received. Division management has implemented procedures to periodically verify staff compliance with procedures requiring the accurate recording of the date match reports are received.</p> <p>Prioritization of Division activities has improved efforts to initiate administrative activities within 20 days of the receipt of disqualifying information.</p> <p>Process enhancements have been made to the computer application to prevent multiple error/omission letters and duplicative correspondenc, and training of staff was provided. The Division has also formalized service of process guidelines to provide an acceptable level of due diligence on the part of Division staff when processing licensure actions.</p> <p>The Department will continue to use current methods for obtaining information concerning disqualifying events or conditions as there is no indication that the use of outstanding warrant information will yield better results or more efficient processing.</p>	
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AG 2008-141	Fiscal Year 2006-2007	Federal Awards - Citrus Health Response Program	<p>Finding: FDACS did not always comply with the provisions of OMB Circular A-87 related to semiannual certifications for employees expected to work solely on a single Federal award or cost objective. Recommendation: We recommend that FDACS amend certification procedures to include all employees working solely in the PADPCAC program.</p> <p>Finding: FDACS did not always retain manually prepared records to document surveys of commercial citrus groves. Recommendation: We recommend that FDACS ensure that original Nursery Environs Surveys are retained when necessary and that survey information recorded in PICS is verified.</p>	<p>The Division of Plant Industry is requiring that certifications be completed every six months, in January and July, for career service and select exempt employees funded from Federal Grants Trust Funds in accordance with OMB Circular A-87.</p> <p>An email was sent by the Assistant Director of Plant Industry to all Division employees reminding them to comply with record retention policies.</p>	
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Office of Policy and Budget - July 2008

# LBR Technical Review Checklist

Department/Budget Entity (Service): Agriculture and Consumer Services

Agency Budget Officer/OPB Analyst Name: Phyllis Vaughn-Gadd

A "Y" indicates "YES" and is acceptable, an "N/J" indicates "NO/Justification Provided" - these require further explanation/justification (additional sheets can be used as necessary), and "TIPS" are other areas to consider.

Action	Program or Service (Budget Entity C			
	42010100	42010200	42010300	42010400

## 1. GENERAL

1.1 Are Columns A01, A02, A04, A05, A10, A11, A36, IA1, IV1, IV3 and NV1 set to TRANSFER CONTROL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status for both the Budget and Trust Fund columns? Are Columns A06, A07, A08 and A09 for Fixed Capital Outlay set to TRANSFER CONTROL for DISPLAY status only? <b>(CSDI)</b>	Y	Y	Y	Y
1.2 Is Column A03 set to TRANSFER CONTROL for DISPLAY and UPDATE status for both the Budget and Trust Fund columns? <b>(CSDI)</b>	Y	Y	Y	Y

### AUDITS:

1.3 Has Column A03 been copied to Column A12? Run the Exhibit B Audit Comparison Report to verify. <b>(EXBR, EXBA)</b>	Y	Y	Y	Y
1.4 Has security been set correctly? <b>(CSDR, CSA)</b>	Y	Y	Y	Y
<b>TIP</b> The agency should prepare the budget request for submission in this order: 1) Lock columns as described above; 2) copy Column A03 to Column A12; and 3) set Column A12 column security to ALL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status.				

## 2. EXHIBIT A (EADR, EXA)

2.1 Is the budget entity authority and description consistent with the agency's LRPP and does it conform to the directives provided on page 53 of the LBR Instructions?	Y	Y	Y	Y
2.2 Are the statewide issues generated systematically (estimated expenditures, nonrecurring expenditures, etc.) included?	Y	Y	Y	Y
2.3 Are the issue codes and titles consistent with <i>Section 3</i> of the LBR Instructions (pages 15 through 25)? Do they clearly describe the issue?	Y	Y	Y	Y
2.4 Have the coding guidelines in <i>Section 3</i> of the LBR Instructions (pages 15 through 25) been followed?	Y	Y	Y	Y

## 3. EXHIBIT B (EADR, EXB)

3.1 Is it apparent that there is a fund shift and were the issues entered into LAS/PBS correctly? Check D-3A funding shift issue 340XXX0 - a unique deduct and unique add back issue should be used to ensure fund shifts display correctly on the LBR exhibits.	Y	Y	Y	Y
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Action		Program or Service (Budget Entity C)			
		42010100	42010200	42010300	42010400
<b>AUDITS:</b>					
3.2	Negative Appropriation Category Audit for Agency Request (Columns A03 and A04): Are all appropriation categories positive by budget entity at the FSI level? Are all nonrecurring amounts less than requested amounts? ( <b>NACR, NAC - Report should print "No Negative Appropriation Categories Found"</b> )	Y	Y	Y	Y
3.3	Current Year Estimated Verification Comparison Report: Is Column A02 equal to Column B02? ( <b>EXBR, EXBC - Report should print "Records Selected Net To Zero"</b> )	Y	Y	Y	Y
TIP	Generally look for and be able to fully explain significant differences between A02 and A03.				
TIP	Exhibit B - A02 equal to B02: Compares Current Year Estimated column to a backup of A02. This audit is necessary to ensure that the historical detail records have not been adjusted. Records selected should net to zero.				
TIP	Requests for appropriations which require advance payment authority must use the sub-title "Grants and Aids". For advance payment authority to local units of government, the Aid to Local Government appropriation category (05XXXX) should be used. For advance payment authority to non-profit organizations or other units of state government, the Special Categories appropriation category (10XXXX) should be used.				
<b>4. EXHIBIT D (EADR, EXD)</b>					
4.1	Is the program component objective statement consistent with the agency LRPP, and does it conform to the directives provided on page 56 of the LBR Instructions?	Y	Y	Y	Y
4.2	Is the program component code and title used correct?	Y	Y	Y	Y
TIP	Fund shifts or transfers of services or activities between program components will be displayed on an Exhibit D whereas it may not be visible on an Exhibit A.				
<b>5. EXHIBIT D-1 (ED1R, EXD1)</b>					
5.1	Are all object of expenditures positive amounts? (This is a manual check.)	Y	Y	Y	Y
<b>AUDITS:</b>					
5.2	Do the fund totals agree with the object category totals within each appropriation category? ( <b>ED1R, XD1A - Report should print "No Differences Found For This Report"</b> )	Y	Y	Y	Y
5.3	FLAIR Expenditure/Appropriation Ledger Comparison Report: Is Column A01 less than Column G07? ( <b>EXBR, EXBB - Negative differences need to be corrected in Column A01.</b> )	Y	Y	Y	Y
5.4	A01/State Accounts Disbursements and Carry Forward Comparison Report: Does Column A01 equal Column G08? ( <b>EXBR, EXBD - Differences need to be corrected in Column A01.</b> )	Y	Y	Y	Y
TIP	If objects are negative amounts, the agency must make adjustments to Column A01 to correct the object amounts. In addition, the fund totals must be adjusted to reflect the adjustment made to the object data.				



Action		Program or Service (Budget Entity C)			
		42010100	42010200	42010300	42010400
TIP	If fund totals and object totals do not agree or negative object amounts exist, the agency must adjust Column A01.				
TIP	Exhibit B - A01 less than G07: This audit is to ensure that the disbursements and carry/certifications forward in A01 are less than FY 2007-08 approved budget. Amounts should be positive.				
TIP	If G08 is not equal to A01, check the following: 1) the initial FLAIR disbursements or carry forward data load was corrected appropriately in A01; 2) the disbursement data from departmental FLAIR was reconciled to State Accounts; and 3) the FLAIR disbursements did not change after Column G08 was created.				
<b>6. EXHIBIT D-3 (ED3R, ED3) (Not required in the LBR - for analytical purposes only.)</b>					
6.1	Are issues appropriately aligned with appropriation categories?	Y	Y	Y	Y
TIP	Exhibit D-3 is no longer required in the budget submission but may be needed for this particular appropriation category/issue sort. Exhibit D-3 is also a useful report when identifying negative appropriation category problems.				
<b>7. EXHIBIT D-3A (EADR, ED3A)</b>					
7.1	Are the issue titles correct and do they clearly identify the issue? (See pages 15 through 29 of the LBR Instructions).	Y	Y	Y	Y
7.2	Does the issue narrative adequately explain the agency's request and is the explanation consistent with the LRPP? (See page 62 of the LBR Instructions.)	Y	Y	Y	Y
7.3	Does the narrative for Information Technology (IT) issue follow the additional narrative requirements described on pages 63 and 64 of the LBR Instructions?	Y	Y	Y	Y
7.4	Are all issues with an IT component identified with a "Y" in the "IT COMPONENT?" field? If the issue contains an IT component, has that component been identified and documented?	Y	Y	Y	Y
7.5	Does the issue narrative explain any variances from the Standard Expense, Operating Capital Outlay (OCO), and Human Resource Services Assessments package? Is the nonrecurring portion in the nonrecurring column? (See pages E-4 and E-5 of the LBR Instructions).	Y	Y	Y	Y
7.6	Does the salary rate request amount accurately reflect any new requests and are the amounts proportionate to the Salaries and Benefits request? Note: Salary rate should always be annualized.	Y	Y	Y	Y
7.7	Does the issue narrative thoroughly explain/justify all Salaries and Benefits amounts entered into the Other Salary Amounts transactions (OADA/C)? Amounts entered into OAD are reflected in the Position Detail of Salaries and Benefits section of the Exhibit D-3A.	Y	Y	Y	Y
7.8	Does the issue narrative include the Consensus Estimating Conference forecast, where appropriate?	Y	Y	Y	Y
7.9	Does the issue narrative reference the specific county(ies) where applicable?	Y	Y	Y	Y

Action		Program or Service (Budget Entity C)			
		42010100	42010200	42010300	42010400
7.10	Do the 160XXX0 issues reflect budget amendments that have been approved (or in the process of being approved) and that have a recurring impact (including Lump Sums)? Have the approved budget amendments been entered in Column A18 as instructed in Memo #09-002?	Y	Y	Y	Y
7.11	When appropriate are there any 160XXX0 issues included to delete positions placed in reserve in the OPB Position and Rate Ledger (e.g. unfunded grants)? Note: Lump sum appropriations not yet allocated should <u>not</u> be deleted. <b>(PLRR, PLMO)</b>	N/A	N/A	N/A	N/A
7.12	Does the issue narrative include plans to satisfy additional space requirements when requesting additional positions?	Y	Y	Y	Y
7.13	Has the agency included a 160XXX0 issue and 210XXXX and 260XXX0 issues as required for lump sum distributions?	Y	Y	Y	Y
7.14	Do the amounts reflect appropriate FSI assignments?	Y	Y	Y	Y
7.15	Do the issues relating to <i>salary and benefits</i> have an "A" in the fifth position of the issue code (XXXXAXX) and are they self-contained (not combined with other issues)? (See page 24 and 80 of the LBR Instructions.)	Y	Y	Y	Y
7.16	Do the issues relating to <i>Information Technology (IT)</i> have a "C" in the sixth position of the issue code (36XXXCX) and are the correct issue codes used (361XXC0, 362XXC0 or 363XXC0)?	Y	Y	Y	Y
7.17	Are the issues relating to <i>major audit findings and recommendations</i> properly coded (4A0XXX0, 4B0XXX0)?	N/A	N/A	N/A	N/A
<b>AUDIT:</b>					
7.18	Are all FSI's equal to '1', '2', '3', or '9'? There should be no FSI's equal to '0'. <b>(EADR, FSIA - Report should print "No Records Selected For Reporting")</b>	Y	Y	Y	Y
TIP	Salaries and Benefits amounts entered using the OADA/C transactions must be thoroughly justified in the D-3A issue narrative. Agencies can run <b>OADA/OADR</b> from STAM to identify the amounts entered into OAD and ensure these entries have been thoroughly explained in the D-3A issue narrative.				
TIP	The issue narrative must completely and thoroughly explain and justify each D-3A issue. Agencies must ensure it provides the information necessary for the OPB and legislative analysts to have a complete understanding of the issue submitted. Thoroughly review pages 61 through 64 of the LBR Instructions.				
TIP	Check BAPS to verify status of budget amendments. Check for reapprovals not picked up in the General Appropriations Act. Verify that Lump Sum appropriations in Column A02 do not appear in Column A03. Review budget amendments to verify that 160XXX0 issue amounts correspond accurately and net to zero for General Revenue funds.				

Action		Program or Service (Budget Entity C			
		42010100	42010200	42010300	42010400
TIP	If an agency is receiving federal funds from another agency the FSI should = 9 (Transfer - Recipient of Federal Funds). The agency that originally receives the funds directly from the federal agency should use FSI = 3 (Federal Funds).				
TIP	If an appropriation made in the FY 2008-09 General Appropriations Act duplicates an appropriation made in substantive legislation, the agency must create a unique deduct nonrecurring issue to eliminate the duplicated appropriation. Normally this is taken care of through line item veto.				
<b>8. SCHEDULE I &amp; RELATED DOCUMENTS (SC1R, SC1 - Budget Entity Level or SC1R, SC1D - Department Level)</b>					
8.1	Has a separate department level Schedule I and supporting documents package been submitted by the agency?	Y	Y	Y	Y
8.2	Has a Schedule I been completed in LAS/PBS for each operating trust fund?	Y	Y	Y	Y
8.3	Have the appropriate Schedule I supporting documents been included for the trust funds (Schedule IA, Schedule IB, Schedule IC, and Reconciliation to Trial Balance)?	Y	Y	Y	Y
8.4	Have the Examination of Regulatory Fees Part I and Part II forms been included for the applicable regulatory programs?	Y	Y	Y	Y
8.5	Have the required detailed narratives been provided (5% trust fund reserve narrative; method for computing the distribution of cost for general management and administrative services narrative; adjustments narrative; revenue estimating methodology narrative)?	Y	Y	Y	Y
8.6	Has the Inter-Agency Transfers Reported on Schedule I form been included as applicable for transfers totaling \$100,000 or more for the fiscal year?	Y	Y	Y	Y
8.7	If the agency is scheduled for the annual trust fund review this year, have the Schedule ID and applicable draft legislation been included for recreation, modification or termination of existing trust funds?	Y	Y	Y	Y
8.8	If the agency is scheduled for the annual trust fund review this year, have the necessary trust funds been requested for creation pursuant to <i>section 215.32(2)(b), Florida Statutes</i> - including the Schedule ID and applicable legislation?	N/A	N/A	N/A	N/A
8.9	Are the revenue codes correct? In the case of federal revenues, has the agency appropriately identified direct versus indirect receipts (object codes 000700, 000799, 001510 and 001599)?	Y	Y	Y	Y
8.10	Are the statutory authority references correct?	Y	Y	Y	Y
8.11	Are the General Revenue Service Charge percentage rates used for each revenue source correct? (Refer to Section 215.20, F.S. for appropriate general revenue service charge percentage rates.)	Y	Y	Y	Y
8.12	Is this an accurate representation of revenues based on the most recent Consensus Estimating Conference forecasts?	Y	Y	Y	Y

Action		Program or Service (Budget Entity C			
		42010100	42010200	42010300	42010400
8.13	If there is no Consensus Estimating Conference forecast available, do the revenue estimates appear to be reasonable?	Y	Y	Y	Y
8.14	Are the federal funds revenues reported in Section I broken out by individual grant? Are the correct CFDA codes used?	Y	Y	Y	Y
8.15	Are anticipated grants included and based on the state fiscal year (rather than federal fiscal year)?	Y	Y	Y	Y
8.16	Are the Schedule I revenues consistent with the FSI's reported in the Exhibit D-3A?	Y	Y	Y	Y
8.17	If applicable, are nonrecurring revenues entered into Column A04?	Y	Y	Y	Y
8.18	Has the agency certified the revenue estimates in columns A02 and A03 to be the latest and most accurate available?	Y	Y	Y	Y
8.19	Is a 5% trust fund reserve reflected in Section II? If not, is sufficient justification provided for exemption? Are the additional narrative requirements provided?	Y	Y	Y	Y
8.20	Are appropriate service charge nonoperating amounts included in Section II?	Y	Y	Y	Y
8.21	Are nonoperating expenditures to other budget entities/departments cross-referenced accurately?	Y	Y	Y	Y
8.22	Do transfers balance between funds (within the agency as well as between agencies)? (See also 8.6 for required transfer confirmation of amounts totaling \$100,000 or more.)	Y	Y	Y	Y
8.23	Are nonoperating expenditures recorded in Section II and adjustments recorded in Section III?	Y	Y	Y	Y
8.24	Are prior year September operating reversions appropriately shown in column A01?	Y	Y	Y	Y
8.25	Are current year September operating reversions appropriately shown in column A02?	Y	Y	Y	Y
8.26	Does the Schedule IC properly reflect the unreserved fund balance for each trust fund as defined by the LBR Instructions, and is it reconciled to the agency accounting records?	Y	Y	Y	Y
8.27	Does Column A01 of the Schedule I accurately represent the actual prior year accounting data as reflected in the agency accounting records, and is it provided in sufficient detail for analysis?	Y	Y	Y	Y
8.28	Does Line I of Column A01 (Schedule I) equal Line K of the Schedule IC?	Y	Y	Y	Y
<b>AUDITS:</b>					
8.29	Is Line I a positive number? (If not, the agency must adjust the budget request to eliminate the deficit).	Y	Y	Y	Y

Action		Program or Service (Budget Entity C)			
		42010100	42010200	42010300	42010400
8.30	Is the June 30 Adjusted Unreserved Fund Balance (Line I) equal to the July 1 Unreserved Fund Balance (Line A) of the following year? <b>(SC1R, SC1A - Report should print "No Discrepancies Exist For This Report")</b>	Y	Y	Y	Y
8.31	Has a Department Level Reconciliation been provided for each trust fund and does Line A of the Schedule I equal the CFO amount? If not, the agency must correct Line A. <b>(SC1R, DEPT)</b>	Y	Y	Y	Y
TIP	The Schedule I is the most reliable source of data concerning the trust funds. It is very important that this schedule is as accurate as possible!				
TIP	Determine if the agency is scheduled for trust fund review. (See page 119 of the LBR Instructions.)				
TIP	Review the unreserved fund balances and compare revenue totals to expenditure totals to determine and understand the trust fund status.				
TIP	Typically nonoperating expenditures and revenues should not be a negative number. Any negative numbers must be fully justified.				
<b>9. SCHEDULE II (PSCR, SC2)</b>					
AUDIT:					
9.1	Is the pay grade minimum for salary rate utilized for positions in segments 2 and 3? <b>(BRAR, BRAA - Report should print "No Records Selected For This Request")</b> Note: Amounts other than the pay grade minimum should be fully justified in the D-3A issue narrative. (See <i>Base Rate Audit</i> on page 150 of the LBR Instructions.)	Y	Y	Y	Y
<b>10. SCHEDULE III (PSCR, SC3)</b>					
10.1	Is the appropriate lapse amount applied in Segment 3? (See page 82 of the LBR Instructions.)	Y	Y	Y	Y
10.2	Are amounts in <i>Other Salary Amount</i> appropriate and fully justified? (See page 89 of the LBR Instructions for appropriate use of the OAD transaction.) Use <b>OADI</b> or <b>OADR</b> to identify agency other salary amounts requested.	Y	Y	Y	Y
<b>11. SCHEDULE IV (EADR, SC4)</b>					
11.1	Are the correct Information Technology (IT) issue codes used?	Y	Y	Y	Y
TIP	If IT issues are not coded correctly (with "C" in 6th position), they will not appear in the Schedule IV.				
<b>12. SCHEDULE VIIIA (EADR, SC8A)</b>					
12.1	Is there only one #1 priority, one #2 priority, one #3 priority, etc. reported on the Schedule VIII-A? Are the priority narrative explanations adequate?	Y	Y	Y	Y
<b>13. SCHEDULE VIIIB-1</b>					
13.1	This schedule is not required in the October 15, 2008 LBR submittal.	Y	Y	Y	Y

Action	Program or Service (Budget Entity C			
	42010100	42010200	42010300	42010400
<b>14. SCHEDULE VIII B-2 (EADR, S8B2)</b>				
14.1 Do the reductions comply with the instructions provided on pages 95 and 96 of the LBR Instructions regarding a 10% reduction in recurring General Revenue and Trust Funds?	Y	Y	Y	Y
<b>15. SCHEDULE XI (LAS/PBS Web - see page 102 of the LBR Instructions for detailed instructions)</b>				
15.1 Has the Schedule XI one page summary been e-mailed to OPB? Agencies are required to generate this spreadsheet via the LAS/PBS Web. (Note: Pursuant to <i>section 216.023(4) (b), Florida Statutes</i> , the Legislature can reduce the funding level for any agency that does not provide this information.)	Y	Y	Y	Y
<b>AUDITS INCLUDED IN THE SCHEDULE XI REPORT:</b>				
15.2 Does the FY 2007-08 Actual (prior year) Expenditures in Column A36 reconcile to Column A01? ( <b>GENR, ACT1</b> )	Y	Y	Y	Y
15.3 None of the executive direction, administrative support and information technology statewide activities (ACT0010 thru ACT0490) have output standards (Record Type 5)? ( <b>Audit #1 should print "No Activities Found"</b> )	Y	Y	Y	Y
15.4 Does the Fixed Capital Outlay (FCO) statewide activity (ACT0210) only contain 08XXXX or 14XXXX appropriation categories? ( <b>Audit #2 should print "No Operating Categories Found"</b> )	Y	Y	Y	Y
15.5 Has the agency provided the necessary demand (Record Type 5) for all activities which <u>should</u> appear in Section II? (Note: Audit #3 will identify those activities that do NOT have a Record Type '5' and have not been identified as a 'Pass Through' activity. These activities will be displayed in Section III with the 'Payment of Pensions, Benefits and Claims' activity and 'Other' activities. Verify if these activities should be displayed in Section III. If not, an output standard would need to be added for that activity and the Schedule XI submitted again.)	Y	Y	Y	Y
15.6 Does Section I (Final Budget for Agency) and Section III (Total Budget for Agency) equal? ( <b>Audit #4 should print "No Discrepancies Found"</b> )	Y	Y	Y	Y
TIP If Section I and Section III have a small difference, it may be due to rounding and therefore will be acceptable.				
<b>16. MANUALLY PREPARED EXHIBITS &amp; SCHEDULES</b>				
16.1 Do exhibits and schedules comply with LBR Instructions (pages 103 through 147 of the LBR Instructions), and are they accurate and complete?	Y	Y	Y	Y
16.2 Are appropriation category totals comparable to Exhibit B, where applicable?	Y	Y	Y	Y
16.3 Are agency organization charts (Schedule X) provided and at the appropriate level of detail?	Y	Y	Y	Y

Action	Program or Service (Budget Entity C			
	42010100	42010200	42010300	42010400

**AUDITS - GENERAL INFORMATION**

TIP	Review <i>Section 6: Audits</i> of the LBR Instructions for a list of audits and their descriptions.				
TIP	Reorganizations may cause audit errors. Agencies must indicate that these errors are due to an agency reorganization to justify the audit error.				

**17. CAPITAL IMPROVEMENTS PROGRAM (CIP)**

17.1	Are the CIP-2, CIP-3, CIP-A and CIP-B forms included?	Y	Y	Y	Y
17.2	Are the CIP-4 and CIP-5 forms submitted when applicable (see CIP Instructions)?	Y	Y	Y	Y
17.3	Do all CIP forms comply with CIP Instructions where applicable (see CIP Instructions)?	Y	Y	Y	Y
17.4	Does the agency request include 5 year projections (Columns A03, A06, A07, A08 and A09)?	Y	Y	Y	Y
17.5	Are the appropriate counties identified in the narrative?	Y	Y	Y	Y
TIP	Requests for Fixed Capital Outlay appropriations which are Grants and Aids to Local Governments and Non-Profit Organizations must use the Grants and Aids to Local Governments and Non-Profit Organizations - Fixed Capital Outlay major appropriation category (140XXX) and include the sub-title "Grants and Aids". These appropriations utilize a CIP-B form as justification.				


Codes)  
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Codes)

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# LBR Technical Review Checklist

Department/Budget Entity (Service): Agriculture and Consumer Services

Agency Budget Officer/OPB Analyst Name: Phyllis Vaughn-Gadd

A "Y" indicates "YES" and is acceptable, an "N/J" indicates "NO/Justification Provided" - these require further explanation/justification (additional sheets can be used as necessary), and "TIPS" are other areas to consider.

Action	Program or Service (Budget Entity C			
	42110200	42120100	42150100	42150200

## 1. GENERAL

1.1 Are Columns A01, A02, A04, A05, A10, A11, A36, IA1, IV1, IV3 and NV1 set to TRANSFER CONTROL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status for both the Budget and Trust Fund columns? Are Columns A06, A07, A08 and A09 for Fixed Capital Outlay set to TRANSFER CONTROL for DISPLAY status only? <b>(CSDI)</b>	Y	Y	Y	Y
1.2 Is Column A03 set to TRANSFER CONTROL for DISPLAY and UPDATE status for both the Budget and Trust Fund columns? <b>(CSDI)</b>	Y	Y	Y	Y

## AUDITS:

1.3 Has Column A03 been copied to Column A12? Run the Exhibit B Audit Comparison Report to verify. <b>(EXBR, EXBA)</b>	Y	Y	Y	Y
1.4 Has security been set correctly? <b>(CSDR, CSA)</b>	Y	Y	Y	Y
<b>TIP</b> The agency should prepare the budget request for submission in this order: 1) Lock columns as described above; 2) copy Column A03 to Column A12; and 3) set Column A12 column security to ALL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status.				

## 2. EXHIBIT A (EADR, EXA)

2.1 Is the budget entity authority and description consistent with the agency's LRPP and does it conform to the directives provided on page 53 of the LBR Instructions?	Y	Y	Y	Y
2.2 Are the statewide issues generated systematically (estimated expenditures, nonrecurring expenditures, etc.) included?	Y	Y	Y	Y
2.3 Are the issue codes and titles consistent with <i>Section 3</i> of the LBR Instructions (pages 15 through 25)? Do they clearly describe the issue?	Y	Y	Y	Y
2.4 Have the coding guidelines in <i>Section 3</i> of the LBR Instructions (pages 15 through 25) been followed?	Y	Y	Y	Y

## 3. EXHIBIT B (EADR, EXB)

3.1 Is it apparent that there is a fund shift and were the issues entered into LAS/PBS correctly? Check D-3A funding shift issue 340XXX0 - a unique deduct and unique add back issue should be used to ensure fund shifts display correctly on the LBR exhibits.	Y	Y	Y	Y
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Action		Program or Service (Budget Entity C)			
		42110200	42120100	42150100	42150200
<b>AUDITS:</b>					
3.2	Negative Appropriation Category Audit for Agency Request (Columns A03 and A04): Are all appropriation categories positive by budget entity at the FSI level? Are all nonrecurring amounts less than requested amounts? ( <b>NACR, NAC - Report should print "No Negative Appropriation Categories Found"</b> )	Y	Y	Y	Y
3.3	Current Year Estimated Verification Comparison Report: Is Column A02 equal to Column B02? ( <b>EXBR, EXBC - Report should print "Records Selected Net To Zero"</b> )	Y	Y	Y	Y
TIP	Generally look for and be able to fully explain significant differences between A02 and A03.				
TIP	Exhibit B - A02 equal to B02: Compares Current Year Estimated column to a backup of A02. This audit is necessary to ensure that the historical detail records have not been adjusted. Records selected should net to zero.				
TIP	Requests for appropriations which require advance payment authority must use the sub-title "Grants and Aids". For advance payment authority to local units of government, the Aid to Local Government appropriation category (05XXXX) should be used. For advance payment authority to non-profit organizations or other units of state government, the Special Categories appropriation category (10XXXX) should be used.				
<b>4. EXHIBIT D (EADR, EXD)</b>					
4.1	Is the program component objective statement consistent with the agency LRPP, and does it conform to the directives provided on page 56 of the LBR Instructions?	Y	Y	Y	Y
4.2	Is the program component code and title used correct?	Y	Y	Y	Y
TIP	Fund shifts or transfers of services or activities between program components will be displayed on an Exhibit D whereas it may not be visible on an Exhibit A.				
<b>5. EXHIBIT D-1 (ED1R, EXD1)</b>					
5.1	Are all object of expenditures positive amounts? (This is a manual check.)	Y	Y	Y	Y
<b>AUDITS:</b>					
5.2	Do the fund totals agree with the object category totals within each appropriation category? ( <b>ED1R, XD1A - Report should print "No Differences Found For This Report"</b> )	Y	Y	Y	Y
5.3	FLAIR Expenditure/Appropriation Ledger Comparison Report: Is Column A01 less than Column G07? ( <b>EXBR, EXBB - Negative differences need to be corrected in Column A01.</b> )	Y	Y	Y	Y
5.4	A01/State Accounts Disbursements and Carry Forward Comparison Report: Does Column A01 equal Column G08? ( <b>EXBR, EXBD - Differences need to be corrected in Column A01.</b> )	Y	Y	Y	Y
TIP	If objects are negative amounts, the agency must make adjustments to Column A01 to correct the object amounts. In addition, the fund totals must be adjusted to reflect the adjustment made to the object data.				

Action		Program or Service (Budget Entity C)			
		42110200	42120100	42150100	42150200
TIP	If fund totals and object totals do not agree or negative object amounts exist, the agency must adjust Column A01.				
TIP	Exhibit B - A01 less than G07: This audit is to ensure that the disbursements and carry/certifications forward in A01 are less than FY 2007-08 approved budget. Amounts should be positive.				
TIP	If G08 is not equal to A01, check the following: 1) the initial FLAIR disbursements or carry forward data load was corrected appropriately in A01; 2) the disbursement data from departmental FLAIR was reconciled to State Accounts; and 3) the FLAIR disbursements did not change after Column G08 was created.				
<b>6. EXHIBIT D-3 (ED3R, ED3) (Not required in the LBR - for analytical purposes only.)</b>					
6.1	Are issues appropriately aligned with appropriation categories?	Y	Y	Y	Y
TIP	Exhibit D-3 is no longer required in the budget submission but may be needed for this particular appropriation category/issue sort. Exhibit D-3 is also a useful report when identifying negative appropriation category problems.				
<b>7. EXHIBIT D-3A (EADR, ED3A)</b>					
7.1	Are the issue titles correct and do they clearly identify the issue? (See pages 15 through 29 of the LBR Instructions).	Y	Y	Y	Y
7.2	Does the issue narrative adequately explain the agency's request and is the explanation consistent with the LRPP? (See page 62 of the LBR Instructions.)	Y	Y	Y	Y
7.3	Does the narrative for Information Technology (IT) issue follow the additional narrative requirements described on pages 63 and 64 of the LBR Instructions?	Y	Y	Y	Y
7.4	Are all issues with an IT component identified with a "Y" in the "IT COMPONENT?" field? If the issue contains an IT component, has that component been identified and documented?	Y	Y	Y	Y
7.5	Does the issue narrative explain any variances from the Standard Expense, Operating Capital Outlay (OCO), and Human Resource Services Assessments package? Is the nonrecurring portion in the nonrecurring column? (See pages E-4 and E-5 of the LBR Instructions).	Y	Y	Y	Y
7.6	Does the salary rate request amount accurately reflect any new requests and are the amounts proportionate to the Salaries and Benefits request? Note: Salary rate should always be annualized.	Y	Y	Y	Y
7.7	Does the issue narrative thoroughly explain/justify all Salaries and Benefits amounts entered into the Other Salary Amounts transactions (OADA/C)? Amounts entered into OAD are reflected in the Position Detail of Salaries and Benefits section of the Exhibit D-3A.	Y	Y	Y	Y
7.8	Does the issue narrative include the Consensus Estimating Conference forecast, where appropriate?	Y	Y	Y	Y
7.9	Does the issue narrative reference the specific county(ies) where applicable?	Y	Y	Y	Y

Action		Program or Service (Budget Entity C)			
		42110200	42120100	42150100	42150200
7.10	Do the 160XXX0 issues reflect budget amendments that have been approved (or in the process of being approved) and that have a recurring impact (including Lump Sums)? Have the approved budget amendments been entered in Column A18 as instructed in Memo #09-002?	Y	Y	Y	Y
7.11	When appropriate are there any 160XXX0 issues included to delete positions placed in reserve in the OPB Position and Rate Ledger (e.g. unfunded grants)? Note: Lump sum appropriations not yet allocated should <u>not</u> be deleted. <b>(PLRR, PLMO)</b>	N/A	N/A	N/A	N/A
7.12	Does the issue narrative include plans to satisfy additional space requirements when requesting additional positions?	Y	Y	Y	Y
7.13	Has the agency included a 160XXX0 issue and 210XXXX and 260XXX0 issues as required for lump sum distributions?	Y	Y	Y	Y
7.14	Do the amounts reflect appropriate FSI assignments?	Y	Y	Y	Y
7.15	Do the issues relating to <i>salary and benefits</i> have an "A" in the fifth position of the issue code (XXXXAXX) and are they self-contained (not combined with other issues)? (See page 24 and 80 of the LBR Instructions.)	Y	Y	Y	Y
7.16	Do the issues relating to <i>Information Technology (IT)</i> have a "C" in the sixth position of the issue code (36XXXCX) and are the correct issue codes used (361XXC0, 362XXC0 or 363XXC0)?	Y	Y	Y	Y
7.17	Are the issues relating to <i>major audit findings and recommendations</i> properly coded (4A0XXX0, 4B0XXX0)?	N/A	N/A	N/A	N/A
<b>AUDIT:</b>					
7.18	Are all FSI's equal to '1', '2', '3', or '9'? There should be no FSI's equal to '0'. <b>(EADR, FSIA - Report should print "No Records Selected For Reporting")</b>	Y	Y	Y	Y
TIP	Salaries and Benefits amounts entered using the OADA/C transactions must be thoroughly justified in the D-3A issue narrative. Agencies can run <b>OADA/OADR</b> from STAM to identify the amounts entered into OAD and ensure these entries have been thoroughly explained in the D-3A issue narrative.				
TIP	The issue narrative must completely and thoroughly explain and justify each D-3A issue. Agencies must ensure it provides the information necessary for the OPB and legislative analysts to have a complete understanding of the issue submitted. Thoroughly review pages 61 through 64 of the LBR Instructions.				
TIP	Check BAPS to verify status of budget amendments. Check for reapprovals not picked up in the General Appropriations Act. Verify that Lump Sum appropriations in Column A02 do not appear in Column A03. Review budget amendments to verify that 160XXX0 issue amounts correspond accurately and net to zero for General Revenue funds.				

Action		Program or Service (Budget Entity C			
		42110200	42120100	42150100	42150200
TIP	If an agency is receiving federal funds from another agency the FSI should = 9 (Transfer - Recipient of Federal Funds). The agency that originally receives the funds directly from the federal agency should use FSI = 3 (Federal Funds).				
TIP	If an appropriation made in the FY 2008-09 General Appropriations Act duplicates an appropriation made in substantive legislation, the agency must create a unique deduct nonrecurring issue to eliminate the duplicated appropriation. Normally this is taken care of through line item veto.				
<b>8. SCHEDULE I &amp; RELATED DOCUMENTS (SC1R, SC1 - Budget Entity Level or SC1R, SC1D - Department Level)</b>					
8.1	Has a separate department level Schedule I and supporting documents package been submitted by the agency?	Y	Y	Y	Y
8.2	Has a Schedule I been completed in LAS/PBS for each operating trust fund?	Y	Y	Y	Y
8.3	Have the appropriate Schedule I supporting documents been included for the trust funds (Schedule IA, Schedule IB, Schedule IC, and Reconciliation to Trial Balance)?	Y	Y	Y	Y
8.4	Have the Examination of Regulatory Fees Part I and Part II forms been included for the applicable regulatory programs?	Y	Y	Y	Y
8.5	Have the required detailed narratives been provided (5% trust fund reserve narrative; method for computing the distribution of cost for general management and administrative services narrative; adjustments narrative; revenue estimating methodology narrative)?	Y	Y	Y	Y
8.6	Has the Inter-Agency Transfers Reported on Schedule I form been included as applicable for transfers totaling \$100,000 or more for the fiscal year?	Y	Y	Y	Y
8.7	If the agency is scheduled for the annual trust fund review this year, have the Schedule ID and applicable draft legislation been included for recreation, modification or termination of existing trust funds?	Y	Y	Y	Y
8.8	If the agency is scheduled for the annual trust fund review this year, have the necessary trust funds been requested for creation pursuant to <i>section 215.32(2)(b), Florida Statutes</i> - including the Schedule ID and applicable legislation?	N/A	N/A	N/A	N/A
8.9	Are the revenue codes correct? In the case of federal revenues, has the agency appropriately identified direct versus indirect receipts (object codes 000700, 000799, 001510 and 001599)?	Y	Y	Y	Y
8.10	Are the statutory authority references correct?	Y	Y	Y	Y
8.11	Are the General Revenue Service Charge percentage rates used for each revenue source correct? (Refer to Section 215.20, F.S. for appropriate general revenue service charge percentage rates.)	Y	Y	Y	Y
8.12	Is this an accurate representation of revenues based on the most recent Consensus Estimating Conference forecasts?	Y	Y	Y	Y

Action		Program or Service (Budget Entity C)			
		42110200	42120100	42150100	42150200
8.13	If there is no Consensus Estimating Conference forecast available, do the revenue estimates appear to be reasonable?	Y	Y	Y	Y
8.14	Are the federal funds revenues reported in Section I broken out by individual grant? Are the correct CFDA codes used?	Y	Y	Y	Y
8.15	Are anticipated grants included and based on the state fiscal year (rather than federal fiscal year)?	Y	Y	Y	Y
8.16	Are the Schedule I revenues consistent with the FSI's reported in the Exhibit D-3A?	Y	Y	Y	Y
8.17	If applicable, are nonrecurring revenues entered into Column A04?	Y	Y	Y	Y
8.18	Has the agency certified the revenue estimates in columns A02 and A03 to be the latest and most accurate available?	Y	Y	Y	Y
8.19	Is a 5% trust fund reserve reflected in Section II? If not, is sufficient justification provided for exemption? Are the additional narrative requirements provided?	Y	Y	Y	Y
8.20	Are appropriate service charge nonoperating amounts included in Section II?	Y	Y	Y	Y
8.21	Are nonoperating expenditures to other budget entities/departments cross-referenced accurately?	Y	Y	Y	Y
8.22	Do transfers balance between funds (within the agency as well as between agencies)? (See also 8.6 for required transfer confirmation of amounts totaling \$100,000 or more.)	Y	Y	Y	Y
8.23	Are nonoperating expenditures recorded in Section II and adjustments recorded in Section III?	Y	Y	Y	Y
8.24	Are prior year September operating reversions appropriately shown in column A01?	Y	Y	Y	Y
8.25	Are current year September operating reversions appropriately shown in column A02?	Y	Y	Y	Y
8.26	Does the Schedule IC properly reflect the unreserved fund balance for each trust fund as defined by the LBR Instructions, and is it reconciled to the agency accounting records?	Y	Y	Y	Y
8.27	Does Column A01 of the Schedule I accurately represent the actual prior year accounting data as reflected in the agency accounting records, and is it provided in sufficient detail for analysis?	Y	Y	Y	Y
8.28	Does Line I of Column A01 (Schedule I) equal Line K of the Schedule IC?	Y	Y	Y	Y
<b>AUDITS:</b>					
8.29	Is Line I a positive number? (If not, the agency must adjust the budget request to eliminate the deficit).	Y	Y	Y	Y

Action		Program or Service (Budget Entity C			
		42110200	42120100	42150100	42150200
8.30	Is the June 30 Adjusted Unreserved Fund Balance (Line I) equal to the July 1 Unreserved Fund Balance (Line A) of the following year? <b>(SC1R, SC1A - Report should print "No Discrepancies Exist For This Report")</b>	Y	Y	Y	Y
8.31	Has a Department Level Reconciliation been provided for each trust fund and does Line A of the Schedule I equal the CFO amount? If not, the agency must correct Line A. <b>(SC1R, DEPT)</b>	Y	Y	Y	Y
TIP	The Schedule I is the most reliable source of data concerning the trust funds. It is very important that this schedule is as accurate as possible!				
TIP	Determine if the agency is scheduled for trust fund review. (See page 119 of the LBR Instructions.)				
TIP	Review the unreserved fund balances and compare revenue totals to expenditure totals to determine and understand the trust fund status.				
TIP	Typically nonoperating expenditures and revenues should not be a negative number. Any negative numbers must be fully justified.				
<b>9. SCHEDULE II (PSCR, SC2)</b>					
AUDIT:					
9.1	Is the pay grade minimum for salary rate utilized for positions in segments 2 and 3? <b>(BRAR, BRAA - Report should print "No Records Selected For This Request")</b> Note: Amounts other than the pay grade minimum should be fully justified in the D-3A issue narrative. (See <i>Base Rate Audit</i> on page 150 of the LBR Instructions.)	Y	Y	Y	Y
<b>10. SCHEDULE III (PSCR, SC3)</b>					
10.1	Is the appropriate lapse amount applied in Segment 3? (See page 82 of the LBR Instructions.)	Y	Y	Y	Y
10.2	Are amounts in <i>Other Salary Amount</i> appropriate and fully justified? (See page 89 of the LBR Instructions for appropriate use of the OAD transaction.) Use <b>OADI</b> or <b>OADR</b> to identify agency other salary amounts requested.	Y	Y	Y	Y
<b>11. SCHEDULE IV (EADR, SC4)</b>					
11.1	Are the correct Information Technology (IT) issue codes used?	Y	Y	Y	Y
TIP	If IT issues are not coded correctly (with "C" in 6th position), they will not appear in the Schedule IV.				
<b>12. SCHEDULE VIIIA (EADR, SC8A)</b>					
12.1	Is there only one #1 priority, one #2 priority, one #3 priority, etc. reported on the Schedule VIII-A? Are the priority narrative explanations adequate?	Y	Y	Y	Y
<b>13. SCHEDULE VIIIB-1</b>					
13.1	This schedule is not required in the October 15, 2008 LBR submittal.	Y	Y	Y	Y

Action	Program or Service (Budget Entity C)			
	42110200	42120100	42150100	42150200
<b>14. SCHEDULE VIII B-2 (EADR, S8B2)</b>				
14.1 Do the reductions comply with the instructions provided on pages 95 and 96 of the LBR Instructions regarding a 10% reduction in recurring General Revenue and Trust Funds?	Y	Y	Y	Y
<b>15. SCHEDULE XI (LAS/PBS Web - see page 102 of the LBR Instructions for detailed instructions)</b>				
15.1 Has the Schedule XI one page summary been e-mailed to OPB? Agencies are required to generate this spreadsheet via the LAS/PBS Web. (Note: Pursuant to section 216.023(4) (b), Florida Statutes, the Legislature can reduce the funding level for any agency that does not provide this information.)	Y	Y	Y	Y
<b>AUDITS INCLUDED IN THE SCHEDULE XI REPORT:</b>				
15.2 Does the FY 2007-08 Actual (prior year) Expenditures in Column A36 reconcile to Column A01? ( <b>GENR, ACT1</b> )	Y	Y	Y	Y
15.3 None of the executive direction, administrative support and information technology statewide activities (ACT0010 thru ACT0490) have output standards (Record Type 5)? ( <b>Audit #1 should print "No Activities Found"</b> )	Y	Y	Y	Y
15.4 Does the Fixed Capital Outlay (FCO) statewide activity (ACT0210) only contain 08XXXX or 14XXXX appropriation categories? ( <b>Audit #2 should print "No Operating Categories Found"</b> )	Y	Y	Y	Y
15.5 Has the agency provided the necessary demand (Record Type 5) for all activities which <u>should</u> appear in Section II? (Note: Audit #3 will identify those activities that do NOT have a Record Type '5' and have not been identified as a 'Pass Through' activity. These activities will be displayed in Section III with the 'Payment of Pensions, Benefits and Claims' activity and 'Other' activities. Verify if these activities should be displayed in Section III. If not, an output standard would need to be added for that activity and the Schedule XI submitted again.)	Y	Y	Y	Y
15.6 Does Section I (Final Budget for Agency) and Section III (Total Budget for Agency) equal? ( <b>Audit #4 should print "No Discrepancies Found"</b> )	Y	Y	Y	Y
TIP If Section I and Section III have a small difference, it may be due to rounding and therefore will be acceptable.				
<b>16. MANUALLY PREPARED EXHIBITS &amp; SCHEDULES</b>				
16.1 Do exhibits and schedules comply with LBR Instructions (pages 103 through 147 of the LBR Instructions), and are they accurate and complete?	Y	Y	Y	Y
16.2 Are appropriation category totals comparable to Exhibit B, where applicable?	Y	Y	Y	Y
16.3 Are agency organization charts (Schedule X) provided and at the appropriate level of detail?	Y	Y	Y	Y



Action	Program or Service (Budget Entity C			
	42110200	42120100	42150100	42150200

**AUDITS - GENERAL INFORMATION**

TIP	Review <i>Section 6: Audits</i> of the LBR Instructions for a list of audits and their descriptions.	
TIP	Reorganizations may cause audit errors. Agencies must indicate that these errors are due to an agency reorganization to justify the audit error.	

**17. CAPITAL IMPROVEMENTS PROGRAM (CIP)**

17.1	Are the CIP-2, CIP-3, CIP-A and CIP-B forms included?	Y	Y	Y	Y
17.2	Are the CIP-4 and CIP-5 forms submitted when applicable (see CIP Instructions)?	Y	Y	Y	Y
17.3	Do all CIP forms comply with CIP Instructions where applicable (see CIP Instructions)?	Y	Y	Y	Y
17.4	Does the agency request include 5 year projections (Columns A03, A06, A07, A08 and A09)?	Y	Y	Y	Y
17.5	Are the appropriate counties identified in the narrative?	Y	Y	Y	Y

TIP	Requests for Fixed Capital Outlay appropriations which are Grants and Aids to Local Governments and Non-Profit Organizations must use the Grants and Aids to Local Governments and Non-Profit Organizations - Fixed Capital Outlay major appropriation category (140XXX) and include the sub-title "Grants and Aids". These appropriations utilize a CIP-B form as justification.	
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# LBR Technical Review Checklist

Department/Budget Entity (Service): Agriculture and Consumer Services

Agency Budget Officer/OPB Analyst Name: Phyllis Vaughn-Gadd

A "Y" indicates "YES" and is acceptable, an "N/J" indicates "NO/Justification Provided" - these require further explanation/justification (additional sheets can be used as necessary), and "TIPS" are other areas to consider.

Action	Program or Service (Budget Entity C			
	42160200	42160300	42170100	42170200

## 1. GENERAL

1.1 Are Columns A01, A02, A04, A05, A10, A11, A36, IA1, IV1, IV3 and NV1 set to TRANSFER CONTROL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status for both the Budget and Trust Fund columns? Are Columns A06, A07, A08 and A09 for Fixed Capital Outlay set to TRANSFER CONTROL for DISPLAY status only? <b>(CSDI)</b>	Y	Y	Y	Y
1.2 Is Column A03 set to TRANSFER CONTROL for DISPLAY and UPDATE status for both the Budget and Trust Fund columns? <b>(CSDI)</b>	Y	Y	Y	Y

## AUDITS:

1.3 Has Column A03 been copied to Column A12? Run the Exhibit B Audit Comparison Report to verify. <b>(EXBR, EXBA)</b>	Y	Y	Y	Y
1.4 Has security been set correctly? <b>(CSDR, CSA)</b>	Y	Y	Y	Y
<b>TIP</b> The agency should prepare the budget request for submission in this order: 1) Lock columns as described above; 2) copy Column A03 to Column A12; and 3) set Column A12 column security to ALL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status.				

## 2. EXHIBIT A (EADR, EXA)

2.1 Is the budget entity authority and description consistent with the agency's LRPP and does it conform to the directives provided on page 53 of the LBR Instructions?	Y	Y	Y	Y
2.2 Are the statewide issues generated systematically (estimated expenditures, nonrecurring expenditures, etc.) included?	Y	Y	Y	Y
2.3 Are the issue codes and titles consistent with <i>Section 3</i> of the LBR Instructions (pages 15 through 25)? Do they clearly describe the issue?	Y	Y	Y	Y
2.4 Have the coding guidelines in <i>Section 3</i> of the LBR Instructions (pages 15 through 25) been followed?	Y	Y	Y	Y

## 3. EXHIBIT B (EADR, EXB)

3.1 Is it apparent that there is a fund shift and were the issues entered into LAS/PBS correctly? Check D-3A funding shift issue 340XXX0 - a unique deduct and unique add back issue should be used to ensure fund shifts display correctly on the LBR exhibits.	Y	Y	Y	Y
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Action		Program or Service (Budget Entity C)			
		42160200	42160300	42170100	42170200
<b>AUDITS:</b>					
3.2	Negative Appropriation Category Audit for Agency Request (Columns A03 and A04): Are all appropriation categories positive by budget entity at the FSI level? Are all nonrecurring amounts less than requested amounts? ( <b>NACR, NAC - Report should print "No Negative Appropriation Categories Found"</b> )	Y	Y	Y	Y
3.3	Current Year Estimated Verification Comparison Report: Is Column A02 equal to Column B02? ( <b>EXBR, EXBC - Report should print "Records Selected Net To Zero"</b> )	Y	Y	Y	Y
TIP	Generally look for and be able to fully explain significant differences between A02 and A03.				
TIP	Exhibit B - A02 equal to B02: Compares Current Year Estimated column to a backup of A02. This audit is necessary to ensure that the historical detail records have not been adjusted. Records selected should net to zero.				
TIP	Requests for appropriations which require advance payment authority must use the sub-title "Grants and Aids". For advance payment authority to local units of government, the Aid to Local Government appropriation category (05XXXX) should be used. For advance payment authority to non-profit organizations or other units of state government, the Special Categories appropriation category (10XXXX) should be used.				
<b>4. EXHIBIT D (EADR, EXD)</b>					
4.1	Is the program component objective statement consistent with the agency LRPP, and does it conform to the directives provided on page 56 of the LBR Instructions?	Y	Y	Y	Y
4.2	Is the program component code and title used correct?	Y	Y	Y	Y
TIP	Fund shifts or transfers of services or activities between program components will be displayed on an Exhibit D whereas it may not be visible on an Exhibit A.				
<b>5. EXHIBIT D-1 (ED1R, EXD1)</b>					
5.1	Are all object of expenditures positive amounts? (This is a manual check.)	Y	Y	Y	Y
<b>AUDITS:</b>					
5.2	Do the fund totals agree with the object category totals within each appropriation category? ( <b>ED1R, XD1A - Report should print "No Differences Found For This Report"</b> )	Y	Y	Y	Y
5.3	FLAIR Expenditure/Appropriation Ledger Comparison Report: Is Column A01 less than Column G07? ( <b>EXBR, EXBB - Negative differences need to be corrected in Column A01.</b> )	Y	Y	Y	Y
5.4	A01/State Accounts Disbursements and Carry Forward Comparison Report: Does Column A01 equal Column G08? ( <b>EXBR, EXBD - Differences need to be corrected in Column A01.</b> )	Y	Y	Y	Y
TIP	If objects are negative amounts, the agency must make adjustments to Column A01 to correct the object amounts. In addition, the fund totals must be adjusted to reflect the adjustment made to the object data.				

Action		Program or Service (Budget Entity C)			
		42160200	42160300	42170100	42170200
TIP	If fund totals and object totals do not agree or negative object amounts exist, the agency must adjust Column A01.				
TIP	Exhibit B - A01 less than G07: This audit is to ensure that the disbursements and carry/certifications forward in A01 are less than FY 2007-08 approved budget. Amounts should be positive.				
TIP	If G08 is not equal to A01, check the following: 1) the initial FLAIR disbursements or carry forward data load was corrected appropriately in A01; 2) the disbursement data from departmental FLAIR was reconciled to State Accounts; and 3) the FLAIR disbursements did not change after Column G08 was created.				
<b>6. EXHIBIT D-3 (ED3R, ED3) (Not required in the LBR - for analytical purposes only.)</b>					
6.1	Are issues appropriately aligned with appropriation categories?	Y	Y	Y	Y
TIP	Exhibit D-3 is no longer required in the budget submission but may be needed for this particular appropriation category/issue sort. Exhibit D-3 is also a useful report when identifying negative appropriation category problems.				
<b>7. EXHIBIT D-3A (EADR, ED3A)</b>					
7.1	Are the issue titles correct and do they clearly identify the issue? (See pages 15 through 29 of the LBR Instructions).	Y	Y	Y	Y
7.2	Does the issue narrative adequately explain the agency's request and is the explanation consistent with the LRPP? (See page 62 of the LBR Instructions.)	Y	Y	Y	Y
7.3	Does the narrative for Information Technology (IT) issue follow the additional narrative requirements described on pages 63 and 64 of the LBR Instructions?	Y	Y	Y	Y
7.4	Are all issues with an IT component identified with a "Y" in the "IT COMPONENT?" field? If the issue contains an IT component, has that component been identified and documented?	Y	Y	Y	Y
7.5	Does the issue narrative explain any variances from the Standard Expense, Operating Capital Outlay (OCO), and Human Resource Services Assessments package? Is the nonrecurring portion in the nonrecurring column? (See pages E-4 and E-5 of the LBR Instructions).	Y	Y	Y	Y
7.6	Does the salary rate request amount accurately reflect any new requests and are the amounts proportionate to the Salaries and Benefits request? Note: Salary rate should always be annualized.	Y	Y	Y	Y
7.7	Does the issue narrative thoroughly explain/justify all Salaries and Benefits amounts entered into the Other Salary Amounts transactions (OADA/C)? Amounts entered into OAD are reflected in the Position Detail of Salaries and Benefits section of the Exhibit D-3A.	Y	Y	Y	Y
7.8	Does the issue narrative include the Consensus Estimating Conference forecast, where appropriate?	Y	Y	Y	Y
7.9	Does the issue narrative reference the specific county(ies) where applicable?	Y	Y	Y	Y

Action		Program or Service (Budget Entity C)			
		42160200	42160300	42170100	42170200
7.10	Do the 160XXX0 issues reflect budget amendments that have been approved (or in the process of being approved) and that have a recurring impact (including Lump Sums)? Have the approved budget amendments been entered in Column A18 as instructed in Memo #09-002?	Y	Y	Y	Y
7.11	When appropriate are there any 160XXX0 issues included to delete positions placed in reserve in the OPB Position and Rate Ledger (e.g. unfunded grants)? Note: Lump sum appropriations not yet allocated should <u>not</u> be deleted. <b>(PLRR, PLMO)</b>	N/A	N/A	N/A	N/A
7.12	Does the issue narrative include plans to satisfy additional space requirements when requesting additional positions?	Y	Y	Y	Y
7.13	Has the agency included a 160XXX0 issue and 210XXXX and 260XXX0 issues as required for lump sum distributions?	Y	Y	Y	Y
7.14	Do the amounts reflect appropriate FSI assignments?	Y	Y	Y	Y
7.15	Do the issues relating to <i>salary and benefits</i> have an "A" in the fifth position of the issue code (XXXXAXX) and are they self-contained (not combined with other issues)? (See page 24 and 80 of the LBR Instructions.)	Y	Y	Y	Y
7.16	Do the issues relating to <i>Information Technology (IT)</i> have a "C" in the sixth position of the issue code (36XXXCX) and are the correct issue codes used (361XXC0, 362XXC0 or 363XXC0)?	Y	Y	Y	Y
7.17	Are the issues relating to <i>major audit findings and recommendations</i> properly coded (4A0XXX0, 4B0XXX0)?	N/A	N/A	N/A	N/A
<b>AUDIT:</b>					
7.18	Are all FSI's equal to '1', '2', '3', or '9'? There should be no FSI's equal to '0'. <b>(EADR, FSIA - Report should print "No Records Selected For Reporting")</b>	Y	Y	Y	Y
TIP	Salaries and Benefits amounts entered using the OADA/C transactions must be thoroughly justified in the D-3A issue narrative. Agencies can run <b>OADA/OADR</b> from STAM to identify the amounts entered into OAD and ensure these entries have been thoroughly explained in the D-3A issue narrative.				
TIP	The issue narrative must completely and thoroughly explain and justify each D-3A issue. Agencies must ensure it provides the information necessary for the OPB and legislative analysts to have a complete understanding of the issue submitted. Thoroughly review pages 61 through 64 of the LBR Instructions.				
TIP	Check BAPS to verify status of budget amendments. Check for reapprovals not picked up in the General Appropriations Act. Verify that Lump Sum appropriations in Column A02 do not appear in Column A03. Review budget amendments to verify that 160XXX0 issue amounts correspond accurately and net to zero for General Revenue funds.				

Action		Program or Service (Budget Entity C			
		42160200	42160300	42170100	42170200
TIP	If an agency is receiving federal funds from another agency the FSI should = 9 (Transfer - Recipient of Federal Funds). The agency that originally receives the funds directly from the federal agency should use FSI = 3 (Federal Funds).				
TIP	If an appropriation made in the FY 2008-09 General Appropriations Act duplicates an appropriation made in substantive legislation, the agency must create a unique deduct nonrecurring issue to eliminate the duplicated appropriation. Normally this is taken care of through line item veto.				
<b>8. SCHEDULE I &amp; RELATED DOCUMENTS (SC1R, SC1 - Budget Entity Level or SC1R, SC1D - Department Level)</b>					
8.1	Has a separate department level Schedule I and supporting documents package been submitted by the agency?	Y	Y	Y	Y
8.2	Has a Schedule I been completed in LAS/PBS for each operating trust fund?	Y	Y	Y	Y
8.3	Have the appropriate Schedule I supporting documents been included for the trust funds (Schedule IA, Schedule IB, Schedule IC, and Reconciliation to Trial Balance)?	Y	Y	Y	Y
8.4	Have the Examination of Regulatory Fees Part I and Part II forms been included for the applicable regulatory programs?	Y	Y	Y	Y
8.5	Have the required detailed narratives been provided (5% trust fund reserve narrative; method for computing the distribution of cost for general management and administrative services narrative; adjustments narrative; revenue estimating methodology narrative)?	Y	Y	Y	Y
8.6	Has the Inter-Agency Transfers Reported on Schedule I form been included as applicable for transfers totaling \$100,000 or more for the fiscal year?	Y	Y	Y	Y
8.7	If the agency is scheduled for the annual trust fund review this year, have the Schedule ID and applicable draft legislation been included for recreation, modification or termination of existing trust funds?	Y	Y	Y	Y
8.8	If the agency is scheduled for the annual trust fund review this year, have the necessary trust funds been requested for creation pursuant to <i>section 215.32(2)(b), Florida Statutes</i> - including the Schedule ID and applicable legislation?	N/A	N/A	N/A	N/A
8.9	Are the revenue codes correct? In the case of federal revenues, has the agency appropriately identified direct versus indirect receipts (object codes 000700, 000799, 001510 and 001599)?	Y	Y	Y	Y
8.10	Are the statutory authority references correct?	Y	Y	Y	Y
8.11	Are the General Revenue Service Charge percentage rates used for each revenue source correct? (Refer to Section 215.20, F.S. for appropriate general revenue service charge percentage rates.)	Y	Y	Y	Y
8.12	Is this an accurate representation of revenues based on the most recent Consensus Estimating Conference forecasts?	Y	Y	Y	Y

Action		Program or Service (Budget Entity C)			
		42160200	42160300	42170100	42170200
8.13	If there is no Consensus Estimating Conference forecast available, do the revenue estimates appear to be reasonable?	Y	Y	Y	Y
8.14	Are the federal funds revenues reported in Section I broken out by individual grant? Are the correct CFDA codes used?	Y	Y	Y	Y
8.15	Are anticipated grants included and based on the state fiscal year (rather than federal fiscal year)?	Y	Y	Y	Y
8.16	Are the Schedule I revenues consistent with the FSI's reported in the Exhibit D-3A?	Y	Y	Y	Y
8.17	If applicable, are nonrecurring revenues entered into Column A04?	Y	Y	Y	Y
8.18	Has the agency certified the revenue estimates in columns A02 and A03 to be the latest and most accurate available?	Y	Y	Y	Y
8.19	Is a 5% trust fund reserve reflected in Section II? If not, is sufficient justification provided for exemption? Are the additional narrative requirements provided?	Y	Y	Y	Y
8.20	Are appropriate service charge nonoperating amounts included in Section II?	Y	Y	Y	Y
8.21	Are nonoperating expenditures to other budget entities/departments cross-referenced accurately?	Y	Y	Y	Y
8.22	Do transfers balance between funds (within the agency as well as between agencies)? (See also 8.6 for required transfer confirmation of amounts totaling \$100,000 or more.)	Y	Y	Y	Y
8.23	Are nonoperating expenditures recorded in Section II and adjustments recorded in Section III?	Y	Y	Y	Y
8.24	Are prior year September operating reversions appropriately shown in column A01?	Y	Y	Y	Y
8.25	Are current year September operating reversions appropriately shown in column A02?	Y	Y	Y	Y
8.26	Does the Schedule IC properly reflect the unreserved fund balance for each trust fund as defined by the LBR Instructions, and is it reconciled to the agency accounting records?	Y	Y	Y	Y
8.27	Does Column A01 of the Schedule I accurately represent the actual prior year accounting data as reflected in the agency accounting records, and is it provided in sufficient detail for analysis?	Y	Y	Y	Y
8.28	Does Line I of Column A01 (Schedule I) equal Line K of the Schedule IC?	Y	Y	Y	Y
<b>AUDITS:</b>					
8.29	Is Line I a positive number? (If not, the agency must adjust the budget request to eliminate the deficit).	Y	Y	Y	Y



Action	Program or Service (Budget Entity C)			
	42160200	42160300	42170100	42170200
8.30 Is the June 30 Adjusted Unreserved Fund Balance (Line I) equal to the July 1 Unreserved Fund Balance (Line A) of the following year? <b>(SC1R, SC1A - Report should print "No Discrepancies Exist For This Report")</b>	Y	Y	Y	Y
8.31 Has a Department Level Reconciliation been provided for each trust fund and does Line A of the Schedule I equal the CFO amount? If not, the agency must correct Line A. <b>(SC1R, DEPT)</b>	Y	Y	Y	Y
TIP The Schedule I is the most reliable source of data concerning the trust funds. It is very important that this schedule is as accurate as possible!				
TIP Determine if the agency is scheduled for trust fund review. (See page 119 of the LBR Instructions.)				
TIP Review the unreserved fund balances and compare revenue totals to expenditure totals to determine and understand the trust fund status.				
TIP Typically nonoperating expenditures and revenues should not be a negative number. Any negative numbers must be fully justified.				
<b>9. SCHEDULE II (PSCR, SC2)</b>				
AUDIT:				
9.1 Is the pay grade minimum for salary rate utilized for positions in segments 2 and 3? <b>(BRAR, BRAA - Report should print "No Records Selected For This Request")</b> Note: Amounts other than the pay grade minimum should be fully justified in the D-3A issue narrative. (See <i>Base Rate Audit</i> on page 150 of the LBR Instructions.)	Y	Y	Y	Y
<b>10. SCHEDULE III (PSCR, SC3)</b>				
10.1 Is the appropriate lapse amount applied in Segment 3? (See page 82 of the LBR Instructions.)	Y	Y	Y	Y
10.2 Are amounts in <i>Other Salary Amount</i> appropriate and fully justified? (See page 89 of the LBR Instructions for appropriate use of the OAD transaction.) Use <b>OADI</b> or <b>OADR</b> to identify agency other salary amounts requested.	Y	Y	Y	Y
<b>11. SCHEDULE IV (EADR, SC4)</b>				
11.1 Are the correct Information Technology (IT) issue codes used?	Y	Y	Y	Y
TIP If IT issues are not coded correctly (with "C" in 6th position), they will not appear in the Schedule IV.				
<b>12. SCHEDULE VIIIA (EADR, SC8A)</b>				
12.1 Is there only one #1 priority, one #2 priority, one #3 priority, etc. reported on the Schedule VIII-A? Are the priority narrative explanations adequate?	Y	Y	Y	Y
<b>13. SCHEDULE VIIIB-1</b>				
13.1 This schedule is not required in the October 15, 2008 LBR submittal.	Y	Y	Y	Y

Action	Program or Service (Budget Entity C			
	42160200	42160300	42170100	42170200
<b>14. SCHEDULE VIII B-2 (EADR, S8B2)</b>				
14.1 Do the reductions comply with the instructions provided on pages 95 and 96 of the LBR Instructions regarding a 10% reduction in recurring General Revenue and Trust Funds?	Y	Y	Y	Y
<b>15. SCHEDULE XI (LAS/PBS Web - see page 102 of the LBR Instructions for detailed instructions)</b>				
15.1 Has the Schedule XI one page summary been e-mailed to OPB? Agencies are required to generate this spreadsheet via the LAS/PBS Web. (Note: Pursuant to <i>section 216.023(4) (b), Florida Statutes</i> , the Legislature can reduce the funding level for any agency that does not provide this information.)	Y	Y	Y	Y
<b>AUDITS INCLUDED IN THE SCHEDULE XI REPORT:</b>				
15.2 Does the FY 2007-08 Actual (prior year) Expenditures in Column A36 reconcile to Column A01? ( <b>GENR, ACT1</b> )	Y	Y	Y	Y
15.3 None of the executive direction, administrative support and information technology statewide activities (ACT0010 thru ACT0490) have output standards (Record Type 5)? ( <b>Audit #1 should print "No Activities Found"</b> )	Y	Y	Y	Y
15.4 Does the Fixed Capital Outlay (FCO) statewide activity (ACT0210) only contain 08XXXX or 14XXXX appropriation categories? ( <b>Audit #2 should print "No Operating Categories Found"</b> )	Y	Y	Y	Y
15.5 Has the agency provided the necessary demand (Record Type 5) for all activities which <u>should</u> appear in Section II? (Note: Audit #3 will identify those activities that do NOT have a Record Type '5' and have not been identified as a 'Pass Through' activity. These activities will be displayed in Section III with the 'Payment of Pensions, Benefits and Claims' activity and 'Other' activities. Verify if these activities should be displayed in Section III. If not, an output standard would need to be added for that activity and the Schedule XI submitted again.)	Y	Y	Y	Y
15.6 Does Section I (Final Budget for Agency) and Section III (Total Budget for Agency) equal? ( <b>Audit #4 should print "No Discrepancies Found"</b> )	Y	Y	Y	Y
TIP If Section I and Section III have a small difference, it may be due to rounding and therefore will be acceptable.				
<b>16. MANUALLY PREPARED EXHIBITS &amp; SCHEDULES</b>				
16.1 Do exhibits and schedules comply with LBR Instructions (pages 103 through 147 of the LBR Instructions), and are they accurate and complete?	Y	Y	Y	Y
16.2 Are appropriation category totals comparable to Exhibit B, where applicable?	Y	Y	Y	Y
16.3 Are agency organization charts (Schedule X) provided and at the appropriate level of detail?	Y	Y	Y	Y

Action	Program or Service (Budget Entity C			
	42160200	42160300	42170100	42170200

**AUDITS - GENERAL INFORMATION**

TIP	Review <i>Section 6: Audits</i> of the LBR Instructions for a list of audits and their descriptions.	
TIP	Reorganizations may cause audit errors. Agencies must indicate that these errors are due to an agency reorganization to justify the audit error.	

**17. CAPITAL IMPROVEMENTS PROGRAM (CIP)**

17.1	Are the CIP-2, CIP-3, CIP-A and CIP-B forms included?	Y	Y	Y	Y
17.2	Are the CIP-4 and CIP-5 forms submitted when applicable (see CIP Instructions)?	Y	Y	Y	Y
17.3	Do all CIP forms comply with CIP Instructions where applicable (see CIP Instructions)?	Y	Y	Y	Y
17.4	Does the agency request include 5 year projections (Columns A03, A06, A07, A08 and A09)?	Y	Y	Y	Y
17.5	Are the appropriate counties identified in the narrative?	Y	Y	Y	Y
TIP	Requests for Fixed Capital Outlay appropriations which are Grants and Aids to Local Governments and Non-Profit Organizations must use the Grants and Aids to Local Governments and Non-Profit Organizations - Fixed Capital Outlay major appropriation category (140XXX) and include the sub-title "Grants and Aids". These appropriations utilize a CIP-B form as justification.				


Codes)
42170300

Y
Y
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Codes)

42170300

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42170300

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# LBR Technical Review Checklist

Department/Budget Entity (Service): Agriculture and Consumer Services

Agency Budget Officer/OPB Analyst Name: Phyllis Vaughn-Gadd

A "Y" indicates "YES" and is acceptable, an "N/J" indicates "NO/Justification Provided" - these require further explanation/justification (additional sheets can be used as necessary), and "TIPS" are other areas to consider.

Action	Program or Service (Budget Entity C		
	42170400	42170500	42170600

## 1. GENERAL

1.1 Are Columns A01, A02, A04, A05, A10, A11, A36, IA1, IV1, IV3 and NV1 set to TRANSFER CONTROL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status for both the Budget and Trust Fund columns? Are Columns A06, A07, A08 and A09 for Fixed Capital Outlay set to TRANSFER CONTROL for DISPLAY status only? <b>(CSDI)</b>	Y	Y	Y	
1.2 Is Column A03 set to TRANSFER CONTROL for DISPLAY and UPDATE status for both the Budget and Trust Fund columns? <b>(CSDI)</b>	Y	Y	Y	

## AUDITS:

1.3 Has Column A03 been copied to Column A12? Run the Exhibit B Audit Comparison Report to verify. <b>(EXBR, EXBA)</b>	Y	Y	Y	
1.4 Has security been set correctly? <b>(CSDR, CSA)</b>	Y	Y	Y	
<b>TIP</b> The agency should prepare the budget request for submission in this order: 1) Lock columns as described above; 2) copy Column A03 to Column A12; and 3) set Column A12 column security to ALL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status.				

## 2. EXHIBIT A (EADR, EXA)

2.1 Is the budget entity authority and description consistent with the agency's LRPP and does it conform to the directives provided on page 53 of the LBR Instructions?	Y	Y	Y	
2.2 Are the statewide issues generated systematically (estimated expenditures, nonrecurring expenditures, etc.) included?	Y	Y	Y	
2.3 Are the issue codes and titles consistent with <i>Section 3</i> of the LBR Instructions (pages 15 through 25)? Do they clearly describe the issue?	Y	Y	Y	
2.4 Have the coding guidelines in <i>Section 3</i> of the LBR Instructions (pages 15 through 25) been followed?	Y	Y	Y	

## 3. EXHIBIT B (EADR, EXB)

3.1 Is it apparent that there is a fund shift and were the issues entered into LAS/PBS correctly? Check D-3A funding shift issue 340XXX0 - a unique deduct and unique add back issue should be used to ensure fund shifts display correctly on the LBR exhibits.	Y	Y	Y	
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Action		Program or Service (Budget Entity C			
		42170400	42170500	42170600	
<b>AUDITS:</b>					
3.2	Negative Appropriation Category Audit for Agency Request (Columns A03 and A04): Are all appropriation categories positive by budget entity at the FSI level? Are all nonrecurring amounts less than requested amounts? ( <b>NACR, NAC - Report should print "No Negative Appropriation Categories Found"</b> )	Y	Y	Y	
3.3	Current Year Estimated Verification Comparison Report: Is Column A02 equal to Column B02? ( <b>EXBR, EXBC - Report should print "Records Selected Net To Zero"</b> )	Y	Y	Y	
TIP	Generally look for and be able to fully explain significant differences between A02 and A03.				
TIP	Exhibit B - A02 equal to B02: Compares Current Year Estimated column to a backup of A02. This audit is necessary to ensure that the historical detail records have not been adjusted. Records selected should net to zero.				
TIP	Requests for appropriations which require advance payment authority must use the sub-title "Grants and Aids". For advance payment authority to local units of government, the Aid to Local Government appropriation category (05XXXX) should be used. For advance payment authority to non-profit organizations or other units of state government, the Special Categories appropriation category (10XXXX) should be used.				
<b>4. EXHIBIT D (EADR, EXD)</b>					
4.1	Is the program component objective statement consistent with the agency LRPP, and does it conform to the directives provided on page 56 of the LBR Instructions?	Y	Y	Y	
4.2	Is the program component code and title used correct?	Y	Y	Y	
TIP	Fund shifts or transfers of services or activities between program components will be displayed on an Exhibit D whereas it may not be visible on an Exhibit A.				
<b>5. EXHIBIT D-1 (ED1R, EXD1)</b>					
5.1	Are all object of expenditures positive amounts? (This is a manual check.)	Y	Y	Y	
<b>AUDITS:</b>					
5.2	Do the fund totals agree with the object category totals within each appropriation category? ( <b>ED1R, XD1A - Report should print "No Differences Found For This Report"</b> )	Y	Y	Y	
5.3	FLAIR Expenditure/Appropriation Ledger Comparison Report: Is Column A01 less than Column G07? ( <b>EXBR, EXBB - Negative differences need to be corrected in Column A01.</b> )	Y	Y	Y	
5.4	A01/State Accounts Disbursements and Carry Forward Comparison Report: Does Column A01 equal Column G08? ( <b>EXBR, EXBD - Differences need to be corrected in Column A01.</b> )	Y	Y	Y	
TIP	If objects are negative amounts, the agency must make adjustments to Column A01 to correct the object amounts. In addition, the fund totals must be adjusted to reflect the adjustment made to the object data.				

Action		Program or Service (Budget Entity C)			
		42170400	42170500	42170600	
TIP	If fund totals and object totals do not agree or negative object amounts exist, the agency must adjust Column A01.				
TIP	Exhibit B - A01 less than G07: This audit is to ensure that the disbursements and carry/certifications forward in A01 are less than FY 2007-08 approved budget. Amounts should be positive.				
TIP	If G08 is not equal to A01, check the following: 1) the initial FLAIR disbursements or carry forward data load was corrected appropriately in A01; 2) the disbursement data from departmental FLAIR was reconciled to State Accounts; and 3) the FLAIR disbursements did not change after Column G08 was created.				
<b>6. EXHIBIT D-3 (ED3R, ED3) (Not required in the LBR - for analytical purposes only.)</b>					
6.1	Are issues appropriately aligned with appropriation categories?	Y	Y	Y	
TIP	Exhibit D-3 is no longer required in the budget submission but may be needed for this particular appropriation category/issue sort. Exhibit D-3 is also a useful report when identifying negative appropriation category problems.				
<b>7. EXHIBIT D-3A (EADR, ED3A)</b>					
7.1	Are the issue titles correct and do they clearly identify the issue? (See pages 15 through 29 of the LBR Instructions).	Y	Y	Y	
7.2	Does the issue narrative adequately explain the agency's request and is the explanation consistent with the LRPP? (See page 62 of the LBR Instructions.)	Y	Y	Y	
7.3	Does the narrative for Information Technology (IT) issue follow the additional narrative requirements described on pages 63 and 64 of the LBR Instructions?	Y	Y	Y	
7.4	Are all issues with an IT component identified with a "Y" in the "IT COMPONENT?" field? If the issue contains an IT component, has that component been identified and documented?	Y	Y	Y	
7.5	Does the issue narrative explain any variances from the Standard Expense, Operating Capital Outlay (OCO), and Human Resource Services Assessments package? Is the nonrecurring portion in the nonrecurring column? (See pages E-4 and E-5 of the LBR Instructions).	Y	Y	Y	
7.6	Does the salary rate request amount accurately reflect any new requests and are the amounts proportionate to the Salaries and Benefits request? Note: Salary rate should always be annualized.	Y	Y	Y	
7.7	Does the issue narrative thoroughly explain/justify all Salaries and Benefits amounts entered into the Other Salary Amounts transactions (OADA/C)? Amounts entered into OAD are reflected in the Position Detail of Salaries and Benefits section of the Exhibit D-3A.	Y	Y	Y	
7.8	Does the issue narrative include the Consensus Estimating Conference forecast, where appropriate?	Y	Y	Y	
7.9	Does the issue narrative reference the specific county(ies) where applicable?	Y	Y	Y	

Action		Program or Service (Budget Entity C)			
		42170400	42170500	42170600	
7.10	Do the 160XXX0 issues reflect budget amendments that have been approved (or in the process of being approved) and that have a recurring impact (including Lump Sums)? Have the approved budget amendments been entered in Column A18 as instructed in Memo #09-002?	Y	Y	Y	
7.11	When appropriate are there any 160XXX0 issues included to delete positions placed in reserve in the OPB Position and Rate Ledger (e.g. unfunded grants)? Note: Lump sum appropriations not yet allocated should <u>not</u> be deleted. ( <b>PLRR, PLMO</b> )	N/A	N/A	N/A	
7.12	Does the issue narrative include plans to satisfy additional space requirements when requesting additional positions?	Y	Y	Y	
7.13	Has the agency included a 160XXX0 issue and 210XXXX and 260XXX0 issues as required for lump sum distributions?	Y	Y	Y	
7.14	Do the amounts reflect appropriate FSI assignments?	Y	Y	Y	
7.15	Do the issues relating to <i>salary and benefits</i> have an "A" in the fifth position of the issue code (XXXXAXX) and are they self-contained (not combined with other issues)? (See page 24 and 80 of the LBR Instructions.)	Y	Y	Y	
7.16	Do the issues relating to <i>Information Technology (IT)</i> have a "C" in the sixth position of the issue code (36XXXCX) and are the correct issue codes used (361XXC0, 362XXC0 or 363XXC0)?	Y	Y	Y	
7.17	Are the issues relating to <i>major audit findings and recommendations</i> properly coded (4A0XXX0, 4B0XXX0)?	N/A	N/A	N/A	
<b>AUDIT:</b>					
7.18	Are all FSI's equal to '1', '2', '3', or '9'? There should be no FSI's equal to '0'. ( <b>EADR, FSIA - Report should print "No Records Selected For Reporting"</b> )	Y	Y	Y	
TIP	Salaries and Benefits amounts entered using the OADA/C transactions must be thoroughly justified in the D-3A issue narrative. Agencies can run <b>OADA/OADR</b> from STAM to identify the amounts entered into OAD and ensure these entries have been thoroughly explained in the D-3A issue narrative.				
TIP	The issue narrative must completely and thoroughly explain and justify each D-3A issue. Agencies must ensure it provides the information necessary for the OPB and legislative analysts to have a complete understanding of the issue submitted. Thoroughly review pages 61 through 64 of the LBR Instructions.				
TIP	Check BAPS to verify status of budget amendments. Check for reapprovals not picked up in the General Appropriations Act. Verify that Lump Sum appropriations in Column A02 do not appear in Column A03. Review budget amendments to verify that 160XXX0 issue amounts correspond accurately and net to zero for General Revenue funds.				



Action		Program or Service (Budget Entity C			
		42170400	42170500	42170600	
TIP	If an agency is receiving federal funds from another agency the FSI should = 9 (Transfer - Recipient of Federal Funds). The agency that originally receives the funds directly from the federal agency should use FSI = 3 (Federal Funds).				
TIP	If an appropriation made in the FY 2008-09 General Appropriations Act duplicates an appropriation made in substantive legislation, the agency must create a unique deduct nonrecurring issue to eliminate the duplicated appropriation. Normally this is taken care of through line item veto.				
<b>8. SCHEDULE I &amp; RELATED DOCUMENTS (SC1R, SC1 - Budget Entity Level or SC1R, SC1D - Department Level)</b>					
8.1	Has a separate department level Schedule I and supporting documents package been submitted by the agency?	Y	Y	Y	
8.2	Has a Schedule I been completed in LAS/PBS for each operating trust fund?	Y	Y	Y	
8.3	Have the appropriate Schedule I supporting documents been included for the trust funds (Schedule IA, Schedule IB, Schedule IC, and Reconciliation to Trial Balance)?	Y	Y	Y	
8.4	Have the Examination of Regulatory Fees Part I and Part II forms been included for the applicable regulatory programs?	Y	Y	Y	
8.5	Have the required detailed narratives been provided (5% trust fund reserve narrative; method for computing the distribution of cost for general management and administrative services narrative; adjustments narrative; revenue estimating methodology narrative)?	Y	Y	Y	
8.6	Has the Inter-Agency Transfers Reported on Schedule I form been included as applicable for transfers totaling \$100,000 or more for the fiscal year?	Y	Y	Y	
8.7	If the agency is scheduled for the annual trust fund review this year, have the Schedule ID and applicable draft legislation been included for recreation, modification or termination of existing trust funds?	Y	Y	Y	
8.8	If the agency is scheduled for the annual trust fund review this year, have the necessary trust funds been requested for creation pursuant to <i>section 215.32(2)(b), Florida Statutes</i> - including the Schedule ID and applicable legislation?	N/A	N/A	N/A	
8.9	Are the revenue codes correct? In the case of federal revenues, has the agency appropriately identified direct versus indirect receipts (object codes 000700, 000799, 001510 and 001599)?	Y	Y	Y	
8.10	Are the statutory authority references correct?	Y	Y	Y	
8.11	Are the General Revenue Service Charge percentage rates used for each revenue source correct? (Refer to Section 215.20, F.S. for appropriate general revenue service charge percentage rates.)	Y	Y	Y	
8.12	Is this an accurate representation of revenues based on the most recent Consensus Estimating Conference forecasts?	Y	Y	Y	

Action		Program or Service (Budget Entity C			
		42170400	42170500	42170600	
8.13	If there is no Consensus Estimating Conference forecast available, do the revenue estimates appear to be reasonable?	Y	Y	Y	
8.14	Are the federal funds revenues reported in Section I broken out by individual grant? Are the correct CFDA codes used?	Y	Y	Y	
8.15	Are anticipated grants included and based on the state fiscal year (rather than federal fiscal year)?	Y	Y	Y	
8.16	Are the Schedule I revenues consistent with the FSI's reported in the Exhibit D-3A?	Y	Y	Y	
8.17	If applicable, are nonrecurring revenues entered into Column A04?	Y	Y	Y	
8.18	Has the agency certified the revenue estimates in columns A02 and A03 to be the latest and most accurate available?	Y	Y	Y	
8.19	Is a 5% trust fund reserve reflected in Section II? If not, is sufficient justification provided for exemption? Are the additional narrative requirements provided?	Y	Y	Y	
8.20	Are appropriate service charge nonoperating amounts included in Section II?	Y	Y	Y	
8.21	Are nonoperating expenditures to other budget entities/departments cross-referenced accurately?	Y	Y	Y	
8.22	Do transfers balance between funds (within the agency as well as between agencies)? (See also 8.6 for required transfer confirmation of amounts totaling \$100,000 or more.)	Y	Y	Y	
8.23	Are nonoperating expenditures recorded in Section II and adjustments recorded in Section III?	Y	Y	Y	
8.24	Are prior year September operating reversions appropriately shown in column A01?	Y	Y	Y	
8.25	Are current year September operating reversions appropriately shown in column A02?	Y	Y	Y	
8.26	Does the Schedule IC properly reflect the unreserved fund balance for each trust fund as defined by the LBR Instructions, and is it reconciled to the agency accounting records?	Y	Y	Y	
8.27	Does Column A01 of the Schedule I accurately represent the actual prior year accounting data as reflected in the agency accounting records, and is it provided in sufficient detail for analysis?	Y	Y	Y	
8.28	Does Line I of Column A01 (Schedule I) equal Line K of the Schedule IC?	Y	Y	Y	
<b>AUDITS:</b>					
8.29	Is Line I a positive number? (If not, the agency must adjust the budget request to eliminate the deficit).	Y	Y	Y	

Action		Program or Service (Budget Entity C)			
		42170400	42170500	42170600	
8.30	Is the June 30 Adjusted Unreserved Fund Balance (Line I) equal to the July 1 Unreserved Fund Balance (Line A) of the following year? <b>(SC1R, SC1A - Report should print "No Discrepancies Exist For This Report")</b>	Y	Y	Y	
8.31	Has a Department Level Reconciliation been provided for each trust fund and does Line A of the Schedule I equal the CFO amount? If not, the agency must correct Line A. <b>(SC1R, DEPT)</b>	Y	Y	Y	
TIP	The Schedule I is the most reliable source of data concerning the trust funds. It is very important that this schedule is as accurate as possible!				
TIP	Determine if the agency is scheduled for trust fund review. (See page 119 of the LBR Instructions.)				
TIP	Review the unreserved fund balances and compare revenue totals to expenditure totals to determine and understand the trust fund status.				
TIP	Typically nonoperating expenditures and revenues should not be a negative number. Any negative numbers must be fully justified.				
<b>9. SCHEDULE II (PSCR, SC2)</b>					
AUDIT:					
9.1	Is the pay grade minimum for salary rate utilized for positions in segments 2 and 3? <b>(BRAR, BRAA - Report should print "No Records Selected For This Request")</b> Note: Amounts other than the pay grade minimum should be fully justified in the D-3A issue narrative. (See <i>Base Rate Audit</i> on page 150 of the LBR Instructions.)	Y	Y	Y	
<b>10. SCHEDULE III (PSCR, SC3)</b>					
10.1	Is the appropriate lapse amount applied in Segment 3? (See page 82 of the LBR Instructions.)	Y	Y	Y	
10.2	Are amounts in <i>Other Salary Amount</i> appropriate and fully justified? (See page 89 of the LBR Instructions for appropriate use of the OAD transaction.) Use <b>OADI</b> or <b>OADR</b> to identify agency other salary amounts requested.	Y	Y	Y	
<b>11. SCHEDULE IV (EADR, SC4)</b>					
11.1	Are the correct Information Technology (IT) issue codes used?	Y	Y	Y	
TIP	If IT issues are not coded correctly (with "C" in 6th position), they will not appear in the Schedule IV.				
<b>12. SCHEDULE VIIIA (EADR, SC8A)</b>					
12.1	Is there only one #1 priority, one #2 priority, one #3 priority, etc. reported on the Schedule VIII-A? Are the priority narrative explanations adequate?	Y	Y	Y	
<b>13. SCHEDULE VIIIB-1</b>					
13.1	This schedule is not required in the October 15, 2008 LBR submittal.	Y	Y	Y	

Action	Program or Service (Budget Entity C		
	42170400	42170500	42170600
<b>14. SCHEDULE VIII B-2 (EADR, S8B2)</b>			
14.1 Do the reductions comply with the instructions provided on pages 95 and 96 of the LBR Instructions regarding a 10% reduction in recurring General Revenue and Trust Funds?	Y	Y	Y
<b>15. SCHEDULE XI (LAS/PBS Web - see page 102 of the LBR Instructions for detailed instructions)</b>			
15.1 Has the Schedule XI one page summary been e-mailed to OPB? Agencies are required to generate this spreadsheet via the LAS/PBS Web. (Note: Pursuant to section 216.023(4) (b), Florida Statutes, the Legislature can reduce the funding level for any agency that does not provide this information.)	Y	Y	Y
<b>AUDITS INCLUDED IN THE SCHEDULE XI REPORT:</b>			
15.2 Does the FY 2007-08 Actual (prior year) Expenditures in Column A36 reconcile to Column A01? ( <b>GENR, ACT1</b> )	Y	Y	Y
15.3 None of the executive direction, administrative support and information technology statewide activities (ACT0010 thru ACT0490) have output standards (Record Type 5)? ( <b>Audit #1 should print "No Activities Found"</b> )	Y	Y	Y
15.4 Does the Fixed Capital Outlay (FCO) statewide activity (ACT0210) only contain 08XXXX or 14XXXX appropriation categories? ( <b>Audit #2 should print "No Operating Categories Found"</b> )	Y	Y	Y
15.5 Has the agency provided the necessary demand (Record Type 5) for all activities which <u>should</u> appear in Section II? (Note: Audit #3 will identify those activities that do NOT have a Record Type '5' and have not been identified as a 'Pass Through' activity. These activities will be displayed in Section III with the 'Payment of Pensions, Benefits and Claims' activity and 'Other' activities. Verify if these activities should be displayed in Section III. If not, an output standard would need to be added for that activity and the Schedule XI submitted again.)	Y	Y	Y
15.6 Does Section I (Final Budget for Agency) and Section III (Total Budget for Agency) equal? ( <b>Audit #4 should print "No Discrepancies Found"</b> )	Y	Y	Y
TIP If Section I and Section III have a small difference, it may be due to rounding and therefore will be acceptable.			
<b>16. MANUALLY PREPARED EXHIBITS &amp; SCHEDULES</b>			
16.1 Do exhibits and schedules comply with LBR Instructions (pages 103 through 147 of the LBR Instructions), and are they accurate and complete?	Y	Y	Y
16.2 Are appropriation category totals comparable to Exhibit B, where applicable?	Y	Y	Y
16.3 Are agency organization charts (Schedule X) provided and at the appropriate level of detail?	Y	Y	Y

Action	Program or Service (Budget Entity C			
	42170400	42170500	42170600	

**AUDITS - GENERAL INFORMATION**

TIP	Review <i>Section 6: Audits</i> of the LBR Instructions for a list of audits and their descriptions.	
TIP	Reorganizations may cause audit errors. Agencies must indicate that these errors are due to an agency reorganization to justify the audit error.	

**17. CAPITAL IMPROVEMENTS PROGRAM (CIP)**

17.1	Are the CIP-2, CIP-3, CIP-A and CIP-B forms included?	Y	Y	Y	
17.2	Are the CIP-4 and CIP-5 forms submitted when applicable (see CIP Instructions)?	Y	Y	Y	
17.3	Do all CIP forms comply with CIP Instructions where applicable (see CIP Instructions)?	Y	Y	Y	
17.4	Does the agency request include 5 year projections (Columns A03, A06, A07, A08 and A09)?	Y	Y	Y	
17.5	Are the appropriate counties identified in the narrative?	Y	Y	Y	

TIP	Requests for Fixed Capital Outlay appropriations which are Grants and Aids to Local Governments and Non-Profit Organizations must use the Grants and Aids to Local Governments and Non-Profit Organizations - Fixed Capital Outlay major appropriation category (140XXX) and include the sub-title "Grants and Aids". These appropriations utilize a CIP-B form as justification.	
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Codes)



















