



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, 2009

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

Joanne Leznoff, Council Director  
House Full Appropriations Council on General Government & Health Care  
221 Capitol  
Tallahassee, Florida 32399-1300

Skip Martin, Council Director  
House Full Appropriations Council on Education & Economic Development  
221 Capitol  
Tallahassee, Florida 32399-1300

Cynthia Kelly, Staff Director  
Senate Policy and Steering Committee on Ways and Means  
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 2010-11 Fiscal Year. This submission has been approved by Commissioner Charles H. Bronson.

Sincerely,

CHARLES H. BRONSON  
COMMISSIONER OF AGRICULTURE



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**Florida Agriculture and Forest Products**  
Over \$100 Billion for Florida's Economy

State of Florida  
Department of Agriculture  
and Consumer Services

FY 2010-11  
Department Level Exhibits  
and Schedules

## IT Service Requirements Worksheet: Network Service

Dept/Agency: **Department of Agriculture and Consumer Services**  
 Submitted by: **Dusty Boyce, Chief, Agriculture Management Information Center**  
 Phone: **(850) 245-1050**  
 Date submitted: **October 15, 2009**

### Network Service

This service enables data connectivity and transport using Local Area Network (LAN) and/or Wide Area Network (WAN) technologies. Please consult the *Guidelines for Schedule IV-C: IT Costs and Service Requirements* for the complete definition of this IT Service and specific direction on how to complete this document.

Identify the major commercial hardware and software associated with the LAN Service:			
1	Intel servers with Windows OS	5	Cisco Firewall
2	Ethernet Switches	6	MyFlorida.Net
3	Cisco Routers	7	
4	Solarwinds network monitoring tool	8	

#### 1. IT Service Definition

1.1. Who is the LAN service provider? *(Indicate all that apply)*

- Central IT staff
- Program staff
- Another State agency
- External service provider

1.2. Who is the WAN service provider? *(Indicate all that apply)*

- Central IT staff
- Program staff
- Another State agency
- External service provider

1.3. Who uses the service? *(Indicate all that apply)*

- Agency staff (state employees or contractors)
- Employees or contractors from one or more additional state agencies
- External service providers
- Public

1.4. Please identify the number of users of the Network Service. 5,000+

1.5. How many locations currently host IT assets and resources used to provide LAN services? 170

1.6. How many locations currently use WAN services? 160

1.7. What types of WAN connections are included in this service? *(Indicate all that apply)*

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> ATM                                  | <input type="checkbox"/> Frame Relay          | <input checked="" type="checkbox"/> Cellular Network   |
| <input type="checkbox"/> SUNCOM RTS                           | <input checked="" type="checkbox"/> Internet  | <input type="checkbox"/> Dedicated Wired connection    |
| <input type="checkbox"/> Radio                                | <input checked="" type="checkbox"/> Satellite | <input checked="" type="checkbox"/> Dial-up connection |
| <input checked="" type="checkbox"/> Other <u>MyFloridaNet</u> |   |  |

## IT Service Requirements Worksheet: Network Service

### 2. Service Unique to Agency

2.1. Is a similar or identical IT service provided by another agency or external service provider?  
(*Identical, Very Similar, No*) Very Similar

2.2. If the same level of service could be provided through another agency or source for less than the current cost of the IT service, could your agency change to another service provider?

Yes  No

2.2.1. If yes, what must happen for your agency to use another IT service provider?

Service level requirements must be validated to ensure another IT service provider could install and support WAN capabilities and meet the needs for all the Department's users in 170 locations throughout the state.

Quality and service could be sacrificed in outsourcing or reduced cost ventures. The Department is not profit oriented and currently provides an excellent, timely, and quality customer service. The Department is very cost conscientious and is continually exploring alternatives to reduce costs, however, it is not interested in acquiring lesser quality and lesser service at the expense of its customers/clients and employees from a profit oriented service provider.

2.2.2. If not, why does your agency need to maintain the current provider for this IT service?

### 3. IT Service Levels Required to Support Business Functions

3.1. Has the agency specified the service level requirements for LAN service?

- Yes; formal Service Level Agreement(s)  
 Yes; informal agreement(s)  
 No; specific requirements have not been determined and approved by the department

If you answered "Yes," identify major (formal or informal) service level requirements:

3.2. Has the agency specified the service level requirements for WAN service?

- Yes; formal Service Level Agreement(s)  
 Yes; informal agreement(s)  
 No; specific requirements have not been determined and approved by the department

If you answered "Yes," identify major (formal or informal) service level requirements:

3.3. Timing and Service Delivery Requirements

3.3.1. Hours/Days that service is required (*e.g., 0800-1600 M-F, 24/7*) for:

3.3.1.1. Online availability 24/7

3.3.1.2. Offline and availability for maintenance Monthly 2-4 hour PM

3.3.2. What is the agency's tolerance for down time during peak periods, i.e., time before management-level intervention occurs (*e.g., 5 min, 15 min, 60 min*)? 5 min.

3.3.2.1. What are the impacts on the agency's business if this down-time standard is exceeded?

## IT Service Requirements Worksheet: Network Service

The WAN provides backbone connectivity between the Department's facilities throughout the State and allows access to central computer applications that support strategic Department services. Significant down time would reduce affected field offices' ability to answer and respond to emergency situations. Due to the emergency nature of the Department, this down time may result in life threatening situations.

3.3.3. Does the agency have a standard for required bandwidth its locations?  Yes  No

If yes, indicate the standard (*e.g. fiber channels for certain locations*)

A minimum of T1 band width is required where available when the office houses more than 30 staff members on a regular basis.

3.3.4. Are there any agency-unique service requirements?  Yes  No

If yes, specify (*include any applicable constitutional, statutory, or rule requirements*)

3.3.5. What are security requirements for this IT service? (*Indicate all that apply*)

User ID/Password

Access through Internet or external network

Access through internal network only

Access through Internet with secure encryption

Other \_\_\_\_\_

3.3.6. Are there any federal, state, or agency privacy policies or restrictions applicable to this IT Service?

Yes

No

3.3.6.1. If yes, please specify and describe:

#### 4. User/customer satisfaction

4.1. Are service level metrics reported to business stakeholders or agency management?

Yes

No

If yes, briefly describe the frequency of reports and how they are provided:

4.2. Are currently defined IT service levels adequate to support the business needs?

Yes

No

4.2.1. If no, what changes need to be made to the current IT service? (*Briefly explain*)

The hardware refresh period must be reduced to five years or less to ensure current file servers have the capacity and power to efficiently run the current supported levels of commercial networking software packages needed to support Department networking functions. When file servers are purchased, the Department purchases an extended five (5) year manufacturer's warranty. When the five (5) year manufacturer's warranty expires, maintenance services for the servers become a costly issue which must be addressed.

FY 2010-11 Schedule IV-C: Information Technology (IT) Costs & Service Requirements  
**IT Service Requirements Worksheet: Network Service**

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4.2.2. List any significant projects (e.g., total cost greater than \$500,000) that are underway or planned to upgrade or enhance any resources or system associated with this IT service.

Project Name	Description	Start Date	End Date	Estimated Total Cost to Complete

**5. Additional Information**

5.1. Please describe the funding source(s), i.e., general revenue, trust fund, federal grant, or other, which is used to provide this service. Identify whether there is a cost recovery or cost allocation plan for this service. Be sure to describe any anticipated adjustments to the funding source(s) or funding level for FY 2010-2011. If such adjustments are anticipated, please describe any corresponding change needed in the service funding model (e.g., charge-back, cost allocation, fee-per-transaction, etc.).

This service is funded entirely through General Revenue funds and Department Trust Funds.

5.2. Other comments

# IT Service Requirements Worksheet: E-Mail, Messaging, and Calendaring Service

Dept/Agency: **Department of Agriculture and Consumer Services**  
Submitted by: **Dusty Boyce, Chief, Agriculture Management Information Center**  
Phone: **(850) 245-1050**  
Date submitted: **October 15, 2009**

## E-Mail, Messaging, and Calendaring Service

This service enables users to send and receive e-mail and attachments, perform departmental calendaring, manage address lists, create and maintain shared or private folders, and store message data provided through the e-mail service. Please consult the *Guidelines for Schedule IV-C: IT Costs and Service Requirements* for the complete definition of this IT Service and specific direction on how to complete this document.

Identify the major commercial hardware and software associated with the E-Mail Service:			
1	Microsoft Exchange Software	5	Microsoft Outlook Software
2	McAfee Antivirus Software	6	Microsoft ISA Server
3	Enterprise Exchange Servers	7	Blackberry Server/Gateway
4	Ironport Spam Filter	8	

### 1. IT Service Definition

1.1. Who is the service provider? (*Indicate all that apply*)

- Central IT staff
- Program staff
- Another State agency
- External service provider

1.2. Who uses the service? (*Indicate all that apply*)

- Agency staff (state employees or contractors)
- Employees or contractors from one or more additional state agencies
- External service providers
- Public

1.3. Please identify the number of users of this service.

3,500

1.4. How many locations currently host IT assets and resources used to provide e-mail, messaging, and calendaring services?

1

### 2. Service Unique to Agency

2.1. Is a similar or identical IT service provided by another agency or external service provider?  
(*Identical, Very Similar, No*) Very Similar

2.2. If the same level of service could be provided through another agency or source for less than the current cost of the IT service, could your agency change to another service provider?

- Yes       No

2.2.1. If yes, what must happen for your agency to use another IT service provider?

2.2.2. If not, why does your agency need to maintain the current provider for this IT service?

## IT Service Requirements Worksheet: E-Mail, Messaging, and Calendaring Service

The Department must retain its ability to add, delete, or change e-mail accounts and access in a timely manner. Quality and service could be sacrificed in outsourcing or reduced cost ventures, as well as subjecting sensitive data (HIPAA, Social security numbers, etc.) to unauthorized access. The Department is not profit oriented and currently provides an excellent, timely, and quality customer service. The Department is very cost conscientious and is constantly exploring alternatives to reduce costs, however, it is not interested in acquiring lesser quality and lesser service at the expense of its customers/clients and employees from a profit oriented service provider.

### 3. IT Service Levels Required to Support Business Functions

3.1. Has the agency specified the service level requirements for this IT Service?

- Yes; formal Service Level Agreement(s)  
 Yes; informal agreement(s)  
 No; specific requirements have not been determined and approved by the department

If you answered "Yes," identify major (formal or informal) service level requirements:

Department management mandates that e-mail, calendaring, and handheld device messaging services be available 24/7.

3.2. Timing and Service Delivery Requirements

3.2.1. Hours/Days that service is required (*e.g., 0600-2100 M-F, 24/7*): 24/7

3.2.2. What is the agency's tolerance for down time during peak periods, i.e., time before management-level intervention occurs (*e.g., 5 min, 15 min, 60 min*)? 15 min.

3.2.2.1. What are the impacts on the agency's business if this down-time standard is exceeded?

If the Department down-time standard is exceeded potential life threatening situations may occur.

3.2.3. Are there any agency-unique service requirements?  Yes  No

If yes, specify (*include any applicable constitutional, statutory, or rule requirements*)

This service must provide and support mobile computing communications capabilities for appropriate Department staff. (i.e., wildland fires, pest and animal disease outbreaks, food borne disease, etc.)

3.2.4. What are security requirements for this IT service? (*Indicate all that apply*)

- User ID/Password  Access through Internet or external network  
Access through internal network only  Access through Internet with secure encryption  
 Other \_\_\_\_\_

3.2.5. Are there any federal, state, or agency privacy policies or restrictions applicable to this IT Service?

- Yes  No

3.2.5.1. If yes, please specify and describe:

Records/data exempt from the provisions of Chapter 119, Florida Statutes, must be protected in accordance with State policy, and records must be retained in compliance with State record retention policies.



FY 2010-11 Schedule IV-C: Information Technology (IT) Costs & Service Requirements  
**IT Service Requirements Worksheet: E-Mail, Messaging, and Calendaring Service**

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**4. User/customer satisfaction**

4.1. Are service level metrics reported to business stakeholders or agency management?

Yes     No

If yes, briefly describe the frequency of reports and how they are provided:

Reports are provided quarterly to the Information Technology Resource Steering Committee.

4.2. Are currently defined IT service levels adequate to support the business needs?

Yes     No

4.2.1. If no, what changes need to be made to the current IT service? *(Briefly explain)*

4.2.2. List any significant projects (e.g., total cost greater than \$500,000) that are underway or planned to upgrade or enhance any resource or system associated with this IT service.

Project Name	Description	Start Date	End Date	Estimated Total Cost to Complete

**5. Additional Information**

5.1. Please describe the funding source(s), i.e., general revenue, trust fund, federal grant, or other, which is used to provide this service. Identify whether there is a cost recovery or cost allocation plan for this service. Be sure to describe any anticipated adjustments to the funding source(s) or funding level for FY 2010-2011. If such adjustments are anticipated, please describe any corresponding change needed in the service funding model (e.g., charge-back, cost allocation, fee-per-transaction, etc.).

This service is funded entirely through General Revenue funds and Department Trust Funds. No change to either funding source or funding level is anticipated for FY 2010-11.

5.2. Other comments

## IT Service Requirements Worksheet: Desktop Computing Service

Dept/Agency: **Department of Agriculture and Consumer Services**  
 Submitted by: **Dusty Boyce, Chief, Agriculture Management Information Center**  
 Phone: **(850)-245-1050**  
 Date submitted: **October 15, 2009**

### Desktop Computing Service

This service enables use of standard office automation functions, as well as access to other applications that require standard desktop functionality. Please consult the *Guidelines for Schedule IV-C: IT Costs and Service Requirements* for the complete definition of this IT Service and specific direction on how to complete this document.

Identify the major commercial hardware and software associated with the Desktop Computer Service:			
1	Microsoft Office Suite	5	Microsoft Internet Explorer
2	McAfee VirusScan Enterprise	6	
3	Microsoft Windows OS	7	
4	Desktop and Laptop PC's	8	

### 1. IT Service Definition

1.1. Who is the service provider? *(Indicate all that apply)*

- Central IT staff
- Program staff
- Another State agency
- External service provider

1.2. Who uses the service? *(Indicate all that apply)*

- Agency staff (state employees or contractors)
- Employees or contractors from one or more additional state agencies
- External service providers
- Public

1.3. Please identify the number of users of this service. 4,863

1.4. How many locations currently use desktop computing services? 170

### 2. Service Unique to Agency

2.1. Is a similar or identical IT service provided by another agency or external service provider?  
*(Identical, Very Similar, No, Unknown)* Unknown

2.2. If the same level of service could be provided through another agency or source for less than the current cost of the IT service, could your agency change to another service provider?

- Yes       No

2.2.1. If yes, what must happen for your agency to use another IT service provider?

2.2.2. If not, why does your agency need to maintain the current provider for this IT service?

Service level requirements would need to be validated to ensure another IT service provider could install and update desktop software and trouble-shoot the desktops for all of the Department's

## IT Service Requirements Worksheet: Desktop Computing Service

4,863 users in 170 locations throughout the state in a timely, cost efficient manner. Due to wide dispersion of office locations throughout the state, it would be economically impossible for another state agency or IT service provider to provide this service at the same or lesser costs that those currently incurred by the Department. Desktop computing services within the Department are provided by a combination of central IT staff, division staff, and external service IT service providers. The Department establishes and controls the priorities and order in which desktop computing services are provided and escalates problem resolution activities when the needs dictate an escalation is necessary.

Quality and service could be sacrificed in outsourcing or reduced cost ventures. The Department is not profit oriented and currently provides an excellent, timely, and quality customer service. The Department is very cost conscientious and is constantly exploring alternatives to reduce costs, however, it is not interested in acquiring lesser quality and lesser service at the expense of its customers/clients and employees from a profit oriented service provider.

### 3. IT Service Levels Required to Support Business Functions

3.1. Has the agency specified the service level requirements for this IT Service?

- Yes; formal Service Level Agreement(s)  
 Yes; informal agreement(s)  
 No; specific requirements have not been determined and approved by the department

If you answered "Yes," identify major (formal or informal) service level requirements:

For Desktop Maintenance Services the maintenance services provider has to meet a two (2) hour first response to customer, and a forty-eight (48) hour problem resolution time frame.

3.2. Timing and Service Delivery Requirements

3.2.1. Hours/Days that service is required (*e.g., 0800-1600 M-F, 24/7*)

8-5 M-F

3.2.2. What are the impacts on the agency's business if the Desktop Service is not available?

Department employees would not be able to access central department applications or use E-mail, Messaging, and Calendaring Service. Services to customers may be disrupted if alternative microcomputers are not available in case of failure.

3.2.3. Are there any agency-unique service requirements?  Yes  No

If yes, specify (*include any applicable constitutional, statutory, or rule requirements*)

3.2.4. What are security requirements for this IT service? (*Indicate all that apply*)

- User ID/Password  Access through Internet or external network  
 Access through internal network only  Access through Internet with secure encryption  
 Other \_\_\_\_\_

3.2.5. Are there any federal, state, or agency privacy policies or restrictions applicable to this IT Service?

- Yes  No

3.2.5.1. If yes, please specify and describe:

Department policy mandates that employees must keep passwords private and must change their passwords every 90 days.

FY 2010-11 Schedule IV-C: Information Technology (IT) Costs & Service Requirements  
**IT Service Requirements Worksheet: Desktop Computing Service**

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**4. User/customer satisfaction**

4.1. Are service level metrics reported to business stakeholders or agency management

Yes     No

If yes, briefly describe the frequency of reports and how they are provided:

The Help Desk Manager conducts meetings with support staff to review status of outstanding customer problems. Problem reporting and problem resolution statistics are reported monthly to management.

4.2. Are currently defined IT service levels adequate to support the business needs?

Yes     No

4.2.1. If no, what changes need to be made to the current IT service? *(Briefly explain)*

Hardware refresh period must be reduced from the current five years to four years or less to ensure current hardware has the capacity and power to efficiently run current commercial software packages for Department management and analyses functions.

4.2.2. List any significant projects (e.g., total cost more than \$500,000) that are underway or planned to upgrade or enhance any resource or system associated with this IT service.

Project Name	Description	Start Date	End Date	Estimated Total Cost to Complete

**5. Additional Information**

5.1. Please describe the funding source(s), i.e., general revenue, trust fund, federal grant, or other, which is used to provide this service. Identify whether there is a cost recovery or cost allocation plan for this service. Be sure to describe any anticipated adjustments to the funding source(s) or funding level for FY 2010-2011. If such adjustments are anticipated, please describe any corresponding change needed in the service funding model (e.g., charge-back, cost allocation, fee-per-transaction, etc.).

This service is funded entirely through General Revenue funds and Department Trust Funds. No change to either funding source or funding level is anticipated for FY 2010-11.

## IT Service Requirements Worksheet: Helpdesk Service

Dept/Agency: **Department of Agriculture and Consumer Services**  
 Submitted by: **Dusty Boyce, Chief, Agriculture Management Information Center**  
 Phone: **(850) 245-1050**  
 Date submitted: **October 15, 2009**

### Helpdesk Service

This service involves the centralized or consolidated intake and resolution of IT system problems for users and stakeholders throughout the department. Please consult the *Guidelines for Schedule IV-C: IT Costs and Service Requirements* for the complete definition of this IT Service and specific direction on how to complete this document.

Identify any major commercial hardware and software associated with the Helpdesk Service:			
1	Remedy Action Request System	5	
2	25 Remedy Client Licenses	6	
3		7	
4		8	

#### 1. IT Service Definition

1.1. Who is the service provider? *(Indicate all that apply)*

- Central IT staff
- Program staff
- Another State agency
- External service provider

1.2. Who uses the service? *(Indicate all that apply)*

- Agency staff (state employees or contractors)
- Employees or contractors from one or more additional state agencies
- External service providers
- Public

1.3. Please identify the number of users of this service. 5,000

1.4. How many locations currently host IT assets and resources used to provide helpdesk services? 1

1.5. What communication channels are used for the service? *(Indicate all that apply)*

- |  |   |
|--|---|
| <input type="checkbox"/> On-line self-serve                            | <input checked="" type="checkbox"/> On-line interactive |
| <input checked="" type="checkbox"/> Telephone/IVR                      | <input checked="" type="checkbox"/> Face-to-face        |
| <input checked="" type="checkbox"/> Remote desktop (e.g., PC Anywhere) |   |
| <input type="checkbox"/> Other   |   |

1.6. What is the scope of the service provided by the Help Desk: *(Check all boxes that apply)*

Help Desk Action	Simple problems	Moderately complex problems	Complex problems
Accepting and logging	x	X	x
Referring/escalating	x	X	x
Tracking and reporting	x	X	x
Resolving/closing	x	X	x

## IT Service Requirements Worksheet: Helpdesk Service

### 2. Service Unique to Agency

2.1. Is a similar or identical IT service provided by another agency or external service provider?  
(*Identical, Very Similar, No, Unknown*) Very Similar

2.2. If the same level of service could be provided through another agency or source for less than the current cost of the IT service, could your agency change to another service provider?

Yes       No

2.2.1. If yes, what must happen for your agency to use another IT service provider?

2.2.2. If not, why does your agency need to maintain the current provider for this IT service?

This service supports unique Department application problems and their resolution. Less than 1% of the calls to the Department Help Desk relates to "How To" questions related to commercial-off-the-shelf software (Microsoft Word, Excel, etc.). The majority of the questions received pertain to Department unique applications which another agency or source would have no knowledge of.

Quality and service could be sacrificed in outsourcing or reduced cost ventures. The Department is not profit oriented and currently provides an excellent, timely, and quality customer service. The Department is very cost conscientious and is constantly exploring alternatives to reduce costs, however, it is not interested in acquiring lesser quality and lesser service at the expense of its customers/clients and employees from a profit oriented service provider.

### 3. IT Service Levels Required to Support Business Functions

3.1. Has the agency specified the service level requirements for this IT Service?

- Yes; formal Service Level Agreement(s)  
 Yes; informal agreement(s)  
 No; specific requirements have not been determined and approved by the department

If you answered "Yes," identify major (formal or informal) service level requirements:

A formal Service Level Agreement has been established.

3.2. Timing and Service Delivery Requirements

3.2.1. Hours/Days the Help Desk service is required (*e.g., 0800-1600 M-F, 24/7*) 7:30-5:00 M-F

3.2.2. What are the impacts on the agency's business if the Help Desk service is not available?

Department employees will not be able to get timely responses to their IT problems, which would reduce their efficient utilization of the Department applications and cause reduction in compliance with performance standards for customer service.

3.2.3. What is the average monthly volume of calls/cases/tickets? 2,000

3.2.4. Are there any agency-unique service requirements?  Yes     No

If yes, specify (*include any applicable constitutional, statutory, or rule requirements*)

The Department requires problem resolution for its unique Mission Critical applications and applications which are not mission critical.

3.2.5. What are security requirements for this IT service? (*Indicate all that apply*)

**IT Service Requirements Worksheet: Helpdesk Service**

- User ID/Password
- Access through internal network only
- Other \_\_\_\_\_
- Access through Internet or external network
- Access through Internet with secure encryption

3.2.6. Are there any federal, state, or agency privacy policies or restrictions applicable to this IT Service?

- Yes       No

3.2.6.1. If yes, please specify and describe:

**4. User/customer satisfaction**

4.1. Are service level metrics reported to business stakeholders or agency management?

- Yes       No

If yes, briefly describe the frequency of reports and how they are provided:

Monthly internal meetings are conducted with section supervisors to review reports of outstanding service calls. Monthly statistical reports are provided to and discussed with management.

4.2. Are currently defined IT service levels adequate to support the business needs?

- Yes       No

4.2.1. If no, what changes need to be made to the current IT service? *(Briefly explain)*

4.2.2. List any significant projects (e.g., total cost greater than \$500,000) that are underway or planned to upgrade or enhance any resource or system associated with this IT service.

Project Name	Description	Start Date	End Date	Estimated Total Cost to Complete

**5. Additional Information**

5.1. Please describe the funding source(s), i.e., general revenue, trust fund, federal grant, or other, which is used to provide this service. Identify whether there is a cost recovery or cost allocation plan for this service. Be sure to describe any anticipated adjustments to the funding source(s) or funding level for FY 2010-2011. If such adjustments are anticipated, please describe any corresponding change needed in the service funding model (e.g., charge-back, cost allocation, fee-per-transaction, etc.).

This service is funded entirely through General Revenue funds and Department Trust Funds. No change to either funding source or funding level is anticipated for FY 2010-11.

5.2. Other comments

## IT Service Requirements Worksheet: IT Security/Risk Mitigation Service

Dept/Agency: **Department of Agriculture and Consumer Services**  
Submitted by: **Dusty Boyce, Chief, Agriculture Management Information Center**  
Phone: **(850) 245-1050**  
Date submitted: **October 15, 2009**

### IT Security/Risk Mitigation Service

This service involves the implementation of measures to reduce risk and ensure continuity of the IT Services supporting the agency. Please consult the *Guidelines for Schedule IV-C: IT Costs and Service Requirements* for the complete definition of this IT Service and specific direction on how to complete this document.

#### 1. IT Service Definition

1.1. Who is the service provider? (*Indicate all that apply*)

- Central IT staff
- Program staff
- Another State agency
- External service provider

1.2. Who uses the service? (*Indicate all that apply*)

- Agency staff (state employees or contractors)
- Employees or contractors from one or more additional state agencies
- External service providers
- Public

#### 2. Service Unique to Agency

2.1. Is a similar or identical IT service provided by another agency or external service provider?  
(*Identical, Very Similar, No*)

**Unknown**

2.2. If the same level of service could be provided through another agency or source for less than the current cost of the IT service, could your agency change to another service provider?

- Yes       No

2.2.1. If yes, what must happen for your agency to use another IT service provider?

2.2.2. If not, why does your agency need to maintain the current provider for this IT service?

Service level requirements will need to be validated to insure another agency or source could provide the necessary support for the Department's risk assessment, mitigation, and disaster recovery processes and plans. The Department must be able to retain its authority for establishing priorities and schedules for continuity of operation plan and disaster recovery plan executions and implementation.

Quality and service could be sacrificed in outsourcing or reduced cost ventures. The Department is not profit oriented and currently provides an excellent, timely, and quality customer service. The Department is very cost conscientious and is constantly exploring alternatives to reduce costs, however, it is not interested in acquiring lesser quality and lesser service at the expense of its customers/clients and employees from a profit oriented service provider.



## IT Service Requirements Worksheet: IT Security/Risk Mitigation Service

### 3. IT Service Levels Required to Support Business Functions

3.1. Has the agency specified the service level requirements for this IT Service?

- Yes; formal Service Level Agreement(s)  
 Yes; informal agreement(s)  
 No; specific requirements have not been determined and approved by the department

If you answered "Yes," identify major (formal or informal) service level requirements:

Formal service level agreements are in place for Disaster Recovery Services.

3.2. Timing and Service Delivery Requirements

- 3.2.1. Hours/Days that service is required (*e.g., 0800-1600 M-F, 24/7*): 24/7
- 3.2.2. In the event of an emergency, how quickly must essential services be restored to maintain the agency's continuity of operations? COOP 2hrs, DRP 72 hrs
- 3.2.3. How frequently must the IT disaster recovery plan be tested? Annually
- 3.2.4. In the event of a security breach, what is the agency's tolerance for down time of security IT services during peak periods, i.e., time before management-level intervention occurs (*e.g., 10 min, 60 min, 4 hours*)? 2 hours
- 3.2.5. Are there any agency-unique service requirements?  Yes  No

If yes, specify (*include any applicable constitutional, statutory, or rule requirements*)

The communications infrastructure is essential to support Department mission critical activities including but not limited to: Law Enforcement, Bio-Terrorism Laboratory Facilities, Forestry Protection, E-Commerce and Food Safety and quality.

3.2.6. What are security requirements for this IT service? (*Indicate all that apply*)

- User ID/Password  Access through Internet or external network  
 Access through internal network only  Access through Internet with secure encryption  
 Other \_\_\_\_\_

3.2.7. Are there any federal, state, or agency privacy policies or restrictions applicable to this IT Service?

- Yes  No

If yes, please specify and describe:

Records/data exempt from the requirements of Chapter 119, Florida Statutes, must be protected in accordance with State policy, and records must be retained in compliance with State record retention policies.

### 4. User/customer satisfaction

4.1. Are service level metrics reported regularly to business stakeholders or agency management?

- Yes  No

If yes, briefly describe the frequency of reports and how they are provided:

A report on the Department's annual Disaster Recovery Plan exercise is presented to management. Risk assessment results are discussed with management.

4.2. Are currently defined IT service levels adequate to support the business needs?

- Yes  No

FY 2010-11 Schedule IV-C: Information Technology (IT) Costs & Service Requirements  
**IT Service Requirements Worksheet: IT Security/Risk Mitigation Service**

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4.2.1. If no, what changes need to be made to the current IT service? *(Briefly explain)*

4.2.2. List any significant projects (e.g., total cost greater than \$500,000) that are underway or planned to upgrade or enhance any resource or system associated with this IT service.

Project Name	Description	Start Date	End Date	Estimated Total Cost to Complete

**5. Additional Information**

5.1. Please describe the funding source(s), i.e., general revenue, trust fund, federal grant, or other, which is used to provide this service. Identify whether there is a cost recovery or cost allocation plan for this service. Be sure to describe any anticipated adjustments to the funding source(s) or funding level for FY 2010-2011. If such adjustments are anticipated, please describe any corresponding change needed in the service funding model (e.g., charge-back, cost allocation, fee-per-transaction, etc.).

This service is funded entirely through General Revenue funds and Department Trust Funds. No significant change to either funding source or funding level is anticipated for FY 2010-11.

5.2. Other comments

**IT Service Requirements Worksheet: IT Support Service for Agency Financial and Administrative Functions**

Dept/Agency: **Department of Agriculture and Consumer Services**

Submitted by: **Mike Gresham, Director, Division of Administration**

Phone: **850-617-7000**

Date submitted: **October 15, 2009**

**IT Support Service for Agency Financial and Administrative Systems**

This service enables users in the agency's administrative and support areas to operate and maintain the non-strategic applications that support agency administrative. Please consult the *Guidelines for Schedule IV-C: IT Costs and Service Requirements* for the complete definition of this IT Service and specific direction on how to complete this document.

Identify major IT Systems (applications) that are included (in whole or part) in this IT Service:			
1	Procurement System (Admin. Imaging System – AIMS)	21	COOP and Personal Assets System (CAPAS)
2	Business, Sites and Features (BSF)	22	Equal Employment Opportunity Database (EEO)
3	Print Shop System (BGSI)	23	Fuel Card Billing (FCB)
4	Contract Tracking System (CATS)	24	Maintenance Request System (MARS)
5	Correspondence Control System (DOACR)	25	Outside Employment Database (OEMP)
6	Dept. of Agriculture and Consumer Services System (DACS)	26	Payroll Account Reporting (PAR)
7	Disbursements (DISB)	27	Personnel Package Tracking (PERSONEL)
8	Dept. Information System Inventory (DISI)	28	Publications (PUBS)
9	Div. of Admin. File System (DAFS)	29	DOACS Employee Web Services
10	Enterprise eCommerce System (EGC)	30	FDACS Geocoding Service
11	Enterprise Imaging System (EIS)	31	Geospatial Data Integration Project (GDI)
12	Final Orders Database (FINL)	32	GIS Metadata Catalog
13	Financial Information System (FIS)	33	GIS Enterprise Data Library (BGIS)
14	Directors Personnel Information System (DPI)	34	GIS Internet Mapping Service (PEC)
15	Forms Management System (FORMS)	35	Remedy Asset Inventory
16	Interactive Orientation and Enrollment Program	36	Remedy Help Desk
17	Lease Management System		
18	FA Reports / Monthly Reconciliation Database		
19	Personnel Imaging System (PDMS)		
20	Revenue Receipts Accounting System (REV)		

**1. IT Service Definition**

1.1. Who is the service provider? *(Indicate all that apply)*

- Central IT staff
- Program staff
- Another State agency
- State Primary Data Center
- Other External service provider

1.2. Who uses the service? *(Indicate all that apply)*

## IT Service Requirements Worksheet: IT Support Service for Agency Financial and Administrative Functions

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- Agency staff (state employees or contractors)
- Employees or contractors from one or more additional state agencies
- External service providers
- Public (please explain in Question 5.2)

- 1.3. Please identify the number of users of this service. 9,000
- 1.4. How many locations currently host agency financial/ administrative systems? 1

### 2. Service Unique to Agency

- 2.1. Is a similar or identical IT service provided by another agency or external service provider?  
*(Identical, Very Similar, No)* Unknown

- 2.2. If the same level of service could be provided through another agency or source for less than the current cost of the IT service, could your agency change to another service provider?

- Yes       No

- 2.2.1. If yes, what must happen for your agency to use another IT service provider?

- 2.2.2. If not, why does your agency need to maintain the current provider for this IT service?

Most of these applications are integrated with each other and are also integrated with program area systems in order to minimize manual data input, maximize data quality, and improve efficiency in the Department. The Department needs to maintain these systems in order to quickly respond to the needs of the Department.

### 3. IT Service Levels Required to Support Business Functions

*Answer the following questions for the primary or dominant IT system within this IT Service.*

- 3.1. Has the agency specified the service level requirements for this IT Service?

- Yes; formal Service Level Agreement(s)
- Yes; informal agreement(s)
- No; specific requirements have not been determined and approved by the department

If you answered "Yes," identify major (formal or informal) service level requirements:

Criticality and maximum allowable downtime has been determined for each application.

- 3.2. Timing and Service Delivery Requirements

- 3.2.1. Hours/Days that service is required (*e.g., 0700-1800 M-F, 24/7*) for:

- 3.2.1.1. User-facing components of this IT service (online) 24/7
- 3.2.1.2. Back-office-facing components of this IT service (batch and maintenance) 24/7

- 3.2.2. What is the agency's tolerance for down time during peak periods, i.e., time before management-level intervention occurs (*e.g., 15 min, 30 min, 60 min*)? 30 min.

- 3.2.2.1. What are the impacts on the agency's business if this down-time standard is exceeded?

**IT Service Requirements Worksheet: IT Support Service for Agency Financial and Administrative Functions**

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The mission critical applications are used throughout the Department and if they are unavailable employees would not be able to complete many tasks such as purchasing, disbursements, revenue processing, etc. Many of these systems are integrated with program area systems or provide lookup information to program area systems and unavailability would have a negative impact on program area functionality such as issuance of permits/licenses.

- 3.2.3. Are there any agency-unique service requirements?  Yes  No  
If yes, specify *(include any applicable constitutional, statutory, or rule requirements)*

Integration between Department level applications and integration with program area systems.

- 3.2.4. What are security requirements for this IT service? *(Indicate all that apply)*
- |  |  |
|--|--|
| <input checked="" type="checkbox"/> User ID/Password                     | <input type="checkbox"/> Access through Internet or external network               |
| <input checked="" type="checkbox"/> Access through internal network only | <input checked="" type="checkbox"/> Access through Internet with secure encryption |
| <input type="checkbox"/> Other _____                                     |  |
- 3.2.5. Are there any federal, state, or agency privacy policies or restrictions applicable to this IT Service?  
 Yes  No

3.2.5.1. If yes, please specify and describe:

Some agency databases contain information which is confidential by law, such as employee social security numbers.

Chapter 119, F.S. Public Records

Florida Dept. of Agriculture and Consumer Services Administrative Policy and Procedure 8-3, Title: Confidentiality of Information Resource Security Programs and Data

**4. User/customer satisfaction**

- 4.1. Are service level metrics reported to business stakeholders or agency management  
 Yes  No  
If yes, briefly describe the frequency of reports and how they are provided:

\_\_\_\_\_

- 4.2. Are currently defined IT service levels adequate to support the business needs?  
 Yes  No

4.2.1. If no, what changes need to be made to the current IT service? *(Briefly explain)*

\_\_\_\_\_

FY 2010-11 Schedule IV-C: Information Technology (IT) Costs & Service Requirements  
**IT Service Requirements Worksheet: IT Support Service for Agency Financial and  
 Administrative Functions**

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4.2.2. List any significant projects that are underway or planned to upgrade or enhance any system associated with this IT service.

Project Name	Description	Start Date	End Date	Estimated Total Cost to Complete

**5. Additional Information**

5.1. Please describe the funding source(s), i.e., general revenue, trust fund, federal grant, or other, which is used to provide this service. Identify whether there is a cost recovery or cost allocation plan for this service. Be sure to describe any anticipated adjustments to the funding source(s) or funding level for FY 2010-11. If such adjustments are anticipated, please describe any corresponding change needed in the service funding model (e.g., charge-back, cost allocation, fee-per-transaction, etc.).

5.2. Other comments (Briefly describe the usage pattern for any public user groups identified in Question 1.3, e.g., annual use, occasional use, self-service, or optional use, and any other comments to explain the service.)

# IT Service Requirements Worksheet: IT Administration and Management Service

Dept/Agency: **Department of Agriculture and Consumer Services**  
Submitted by: **Dusty Boyce, Chief, Agriculture Management Information Center**  
Phone: **(850) 245-1050**  
Date submitted: **October 15, 2009**

## IT Administration and Management Service

This service enables the management and administration of the agency's central IT program or unit. Please consult the *Guidelines for Schedule IV-C: IT Costs and Service Requirements* for the complete definition of this IT Service and specific direction on how to complete this document.

Identify major IT Systems (applications) that are included (in whole or part) in this IT Service:			
1	Cost Allocation and Recovery System	5	
2		6	
3		7	
4		8	

### 1. IT Service Definition

1.1. Who is the service provider? *(Indicate all that apply)*

- Central IT staff
- Program staff
- Another State agency
- External service provider

1.2. How many locations currently host assets and resources used to provide IT administration and management services? 1

### 2. Service Unique to Agency

2.1. If the same level of service could be provided through another agency or external source for less than the current cost of the IT service, could your agency change to another service provider?

- Yes       No

2.1.1. If yes, what must happen for your agency to use another IT service provider?

2.1.2. If not, why does your agency need to maintain the current provider for this IT service?

IT Administration and Management Service relates to a Department program that is a function of the Department management. It cannot be performed by an external service provider.

Quality and service could be sacrificed in outsourcing or reduced cost ventures. The Department is not profit oriented and currently provides an excellent, timely, and quality customer service. The Department is very cost conscientious and is constantly exploring alternatives to reduce costs, however, it is not interested in acquiring lesser quality and lesser service at the expense of its customers/clients and employees from a profit oriented service provider.

### 3. IT Service Levels Required to Support Business Functions

3.1. Has the agency specified the service level requirements for this IT Service?

- Yes; formal Service Level Agreement(s)

## IT Service Requirements Worksheet: IT Administration and Management Service

- Yes; informal agreement(s)
- No; specific requirements have not been determined and approved by the department

If you answered "Yes," identify major (formal or informal) service level requirements:

### 3.2. Timing and Service Delivery Requirements

- 3.2.1. Hours/Days that service is required (*e.g., 0800-1600 M-F, 24/7*) for the systems included in this service: 8-5 M-F
- 3.2.2. What is the agency's tolerance for down time during peak periods, i.e., time before management-level intervention occurs (*e.g., 5 min, 15 min, 60 min*)? 15 min.
- 3.2.3. Are there any federal, state, or agency privacy policies or restrictions applicable to this IT Service?  
 Yes       No

If yes, please specify and describe:

- 3.2.4. Are there any agency-unique service requirements?  Yes       No
- If yes, specify (*include any applicable constitutional, statutory, or rule requirements*)

## 4. User/customer satisfaction

- 4.1. Are service level metrics reported to business stakeholders or agency management?  
 Yes       No

If yes, briefly describe the frequency of reports and how they are provided:

Service level metrics are discussed bi-monthly with Division staff at a formalized meeting of the Operational Steering Committee and quarterly with the Information Technology Resource Steering Committee.

- 4.2. Are currently defined IT service levels adequate to support the business needs of the agency?  
 Yes       No

If no, what changes need to be made to the current IT service? (*Briefly explain*)

- 4.3. List any significant projects that are underway or planned to upgrade or enhance any system, resource, or process associated with this IT service.

Project Name	Description	Start Date	End Date	Estimated Total Cost of Completion



**5. Additional Information**

5.1. Please describe the funding source(s), i.e., general revenue, trust fund, federal grant, or other, which is used to provide this service. Identify whether there is a cost recovery or cost allocation plan for this service. Be sure to describe any anticipated adjustments to the funding source(s) or funding level for FY 2010-2011. If such adjustments are anticipated, please describe any corresponding change needed in the service funding model (e.g., charge-back, cost allocation, fee-per-transaction, etc.).

This service is funded entirely through General Revenue funds and Department Trust Funds. No change to either funding source or funding level is anticipated for FY 2010-11.

5.2. Other comments

Non-Strategic IT Service:		Network Service		Form: FY 2010-11 Schedule IV-C -Non-Strategics; Ver 1				
Dept/Agency: <b>Florida Department of Agriculture and Consumer Services</b>		# of Assets & Resources Apportioned to this IT Service in FY 2010-11		A	Estimated IT Service Costs			
Prepared by: <b>Dusty Boyce</b>		Footnote Number	Number used for this service		Number w/ costs in FY 2010-11	Initial Estimate for Fiscal Year 2009-10	B Estimated FY 2009-10 Allocation of Recurring Base Budget (based on Column G64 minus G65)	C Estimated FY 2010-11 Allocation of Recurring Base Budget (based on Column G64 minus G65)
Phone: <b>(850) 245-1050</b>				Service Provisioning -- Assets & Resources (Cost Elements)				
A. Personnel			5.70		\$299,497	\$336,018	\$336,018	\$0
A-1.1	State FTE	1	4.70		\$287,017	\$323,538	\$323,538	\$0
A-2.1	OPS FTE	2	1.00		\$12,480	\$12,480	\$12,480	\$0
A-3.1	Contractor Positions (Staff Augmentation)		0.00		\$0	\$0	\$0	\$0
B. Hardware			855	0	\$48,789	\$143,789	\$143,789	\$0
B-1	Servers	3	191	0	\$0	\$0	\$0	\$0
B-2	Server Maintenance & Support		0	0	\$0	\$0	\$0	\$0
B-3.1	Network Devices & Hardware (e.g., routers, switches, hubs, cabling, etc.)	4	422	0	\$48,789	\$143,789	\$143,789	\$0
B-3.2	Other Hardware Assets (e.g., system mgt workstation, printers, UPS, etc)	5	242	0	\$0	\$0	\$0	\$0
C. Software		6			\$116,572	\$40,979	\$40,979	\$0
D. External Service Provider(s)					\$1,194,029	\$1,225,815	\$1,225,815	\$0
D-1	LAN External Service Provider		0	0	\$0	\$0	\$0	\$0
D-2	WAN External Service Provider	7	0	0	\$1,194,029	\$1,225,815	\$1,225,815	\$0
E. Plant & Facility for LAN/WAN Service			0	0	\$0	\$0	\$0	\$0
F. Other (Please describe in Footnotes Section below)		8			\$23,285	\$25,770	\$25,770	\$0
<b>H. Total for IT Service</b>					<b>\$1,682,172</b>	<b>\$1,772,371</b>	<b>\$1,772,371</b>	<b>\$0</b>
<b>Footnotes - Please be sure to indicate there is a footnote for the corresponding row above. Maximum footnote length is 1024 characters.</b>								
1	Annual Salaries and Benefits for the State FTEs supporting this service area.							
2	Annual Salary for the OPS FTE supporting this service area.							
3	This represents the number of physical and virtual X86 based servers in use.							
4	This represents the number of switches in use. Maintenance/Support provided by Microsoft, Prosys Information Systems, Mainline Computer Products, and Presidio Corporation.							
5	Two (2) system management workstations and 240 network printers.							
6	Annual licenses/support charges for the software provided by Software House International; Rocket Software; and ACISS.							
7	Annual charges paid to the Department of Management Services for the data communication circuits, and DSL lines, Air Cards, Dial-Up circuits.							
8	Miscellaneous costs associated with State Personnel Assessment charges; Telephones/Suncom; Printing and Reproduction; Motor Vehicle Repairs and Maintenance; In-State Travel; Office Supplies; and Information Technology Supplies.							
9								
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13								
14								
15								

**Non-Strategic IT Service: E-Mail, Messaging, and Calendaring Service**

Agency: **Florida Department of Agriculture and Consumer Services**

Form: FY 2010-11 Schedule IV-C -Non-Strategics: Ver 1

Prepared by: **Dusty Boyce**

Phone: **(850) 245-1050**

Service Provisioning -- Assets & Resources (Cost Elements)	Footnote Number	# of Assets & Resources Apportioned to this IT Service in FY 2009-10		Estimated IT Service Costs			
		Number used for this service	Number w/ costs in FY 2010-11	A Initial Estimate for Fiscal Year 2009-10	B Estimated FY 2009-10 Allocation of Recurring Base Budget (based on Column G64 minus G65)	C Estimated FY 2010-11 Allocation of Recurring Base Budget (based on Column G64 minus G65)	D Planned Increase/Decrease Use of Recurring Base Funding (Columns C - B)
<b>A. Personnel</b>		0.15		\$82,618	\$12,075	\$12,075	\$0
A-1 State FTE	1	0.15		\$82,618	\$12,075	\$12,075	\$0
A-2 OPS FTE		0.00		\$0	\$0	\$0	\$0
A-3 Contractor Positions (Staff Augmentation)		0.00		\$0	\$0	\$0	\$0
<b>B. Hardware</b>		150	0	\$0	\$0	\$0	\$0
B-1 Servers	2	6	0	\$0	\$0	\$0	\$0
B-2 Server Maintenance & Support		0	0	\$0	\$0	\$0	\$0
B-3.1 Wireless Communication Devices & Related Hardware	3	144	0	\$0	\$0	\$0	\$0
B-3.2 Other Hardware Assets (e.g., system mgt workstation, printers, etc)		0	0	\$0	\$0	\$0	\$0
<b>C. Software</b>	4			\$0	\$33,594	\$33,594	\$0
<b>D. External Service Provider(s)</b>		0	0	\$0	\$0	\$0	\$0
<b>E. Plant &amp; Facility</b>		0	0	\$0	\$0	\$0	\$0
<b>F. Other (Please describe in Footnotes Section below)</b>	5			\$4,657	\$3,754	\$3,754	\$0
<b>G. Total for IT Service</b>				\$87,275	\$49,423	\$49,423	\$0

**Administrative Overhead - Percentage of Other Non-Strategic IT Service Costs Supporting Email Service**

Non-Strategic Service	Footnote	%	Cost
OT-1 Network			
OT-2 Desktop IT Service		3.00%	\$ 44,800
OT-3 Help Desk		3.00%	\$ 11,261
OT-4 IT Security & Risk Mitigation			
OT-5 IT Administration & Management			
SUBTOTAL			\$ 56,060

To determine the fully-loaded cost of the e-mail service, agencies must estimate the amount (percentage) of the other non-strategic IT services that are "consumed" by the e-mail service. For example, desktop support personnel install and configure the e-mail software on the desktop, which is used in the e-mail service, so to obtain a fully-loaded cost for the e-mail service, it is important to include the indirect workload and associated costs of the desktop service expended in support of the e-mail service. The portion of Network, IT Security & Risk Mitigation, and IT Administration & Management services will be estimated by the AEIT based on the agency Schedule IV-C submissions for these IT services. For the purposes of the Schedule IV-C analysis, the data submitted in this section will NOT be added to the cost of the e-mail service.

**Fully-loaded IT Service Cost \$ 105,483**

**Footnotes - Please be sure to indicate there is a footnote for the corresponding row above. Maximum footnote length is 1024 characters.**

1	Annual Salaries and Benefits for the State FTEs supporting this service area.
2	Six (6) servers are utilized by the E-Mail, Messaging, Calendaring Service, and Anti-Virus and Anti-Spam. The servers, when purchased, were acquired with a five (5) year extended warranty.
3	Number of wireless communication devices (Blackberries) in use in the Department.
4	Annual licenses/support charges for the Spotlight for Exchange, CAL's and Blackberry, Ironport Anti-Spam, SOPHOS Anti-virus software.
5	Miscellaneous costs associated with State Personnel Assessment charges; Telephones/Suncom; Printing and Reproduction; In-State Travel; Office Supplies; and Information Technology Supplies.
6	
7	
8	
9	
10	

Non-Strategic IT Service:		Desktop Computing Service						
Agency: Florida Department of Agriculture and Consumer Services		Form: FY 2010-11 Schedule IV-C -Non-Strategics; Ver 1						
Prepared by: Dusty Boyce		# of Assets & Resources Apportioned to this IT Service in FY 2010-11		Estimated IT Service Costs				
Phone: (850) 245-1050				A	B	C	D	
Service Provisioning -- Assets & Resources (Cost Elements)		Footnote Number	Number used for this service	Number w/ costs in FY 2010-11	Initial Estimate for Fiscal Year 2009-10	Estimated FY 2009-10 Allocation of Recurring Base Budget (based on Column G64 minus G65)	Estimated FY 2010-11 Allocation of Recurring Base Budget (based on Column G64 minus G65)	Planned Increase/Decrease Use of Recurring Base Funding (Columns C - B)
<b>A. Personnel</b>			22.55		\$1,335,698	\$1,298,555	\$1,298,555	\$0
A-1	State FTE	1	22.55		\$1,335,698	\$1,298,555	\$1,298,555	\$0
A-2	OPS FTE		0.00		\$0	\$0	\$0	\$0
A-3	Contractor Positions (Staff Augmentation)		0.00		\$0	\$0	\$0	\$0
<b>B. Hardware</b>			4177	0	\$216,628	\$0	\$0	\$0
B-1	Servers		0	0	\$0	\$0	\$0	\$0
B-2	Server Maintenance & Support		0	0	\$0	\$0	\$0	\$0
B-3.1	Desktop Computers	2	2534	0	\$88,882	\$0	\$0	\$0
B-3.2	Mobile Computers (e.g., Laptop, Notebook, Handheld, Wireless Computer)	3	1643	0	\$33,128	\$0	\$0	\$0
B-3.3	Other Hardware Assets (e.g., system mgt workstation, printers, scanners, etc)		0	0	\$94,618	\$0	\$0	\$0
<b>C. Software</b>					\$234,673	\$0	\$0	\$0
<b>D. External Service</b>		4	0	0	\$188,750	\$136,992	\$136,992	\$0
<b>E. Plant &amp; Facility</b>			0	0	\$0	\$0	\$0	\$0
<b>F. Other (Please describe in Footnotes Section below)</b>		5			\$77,135	\$57,770	\$57,770	\$0
<b>G. Total for IT Service</b>					\$2,052,884	\$1,493,317	\$1,493,317	\$0
<b>Footnotes</b> - Please be sure to indicate there is a footnote for the corresponding row above. Maximum footnote length is 1024 characters.								
1	Annual Salaries and Benefits for the State FTEs supporting this service area.							
2	This represents the number of desktop units in the Department.							
3	This represents the number of mobile computers in the Department.							
4	This represents the amount allocated to the Department's maintenance services agreement with Decision One for on-site microcomputer maintenance services.							
5	Miscellaneous costs associated with State Personnel Assessment charges; Telephones/Suncom; Printing and Reproduction; Motor Vehicle Repairs and Maintenance; In-State Travel; Office Supplies; and Information Technology Supplies.							
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Non-Strategic IT Service:		Helpdesk Service		Form: FY 2010-11 Schedule IV-C -Non-Strategics; Ver 1				
Agency: Florida Department of Agriculture and Consumer Services		# of Assets & Resources Apportioned to this IT Service in FY 2010-11 Number used for this service   Number w/ costs in FY 2010-11		Estimated IT Service Costs				
Prepared by: Dusty Boyce				A	B	C	D	
Phone: (850) 245-1050				Initial Estimate for Fiscal Year 2009-10	Estimated FY 2009-10 Allocation of Recurring Base Budget (based on Column G64 minus G65)	Estimated FY 2010-11 Allocation of Recurring Base Budget (based on Column G64 minus G65)	Planned Increase/Decrease Use of Recurring Base Funding (Columns C - B)	
Service Provisioning -- Assets & Resources (Cost Elements)		Footnote Number						
<b>A. Personnel</b>			5.75		\$331,649	\$334,876	\$334,876	\$0
A-1	State FTE	1	5.75		\$331,649	\$334,876	\$334,876	\$0
A-2	OPS FTE		0.00		\$0	\$0	\$0	\$0
A-3	Contractor Positions (Staff Augmentation)		0.00		\$0	\$0	\$0	\$0
<b>B. Hardware</b>			1	1	\$3,639	\$3,639	\$3,639	\$0
B-1	Servers		0	0	\$0	\$0	\$0	\$0
B-2	Server Maintenance & Support		0	0	\$0	\$0	\$0	\$0
B-3	Other Hardware Assets (e.g., system mgt workstation, printers, etc)	2	1	1	\$3,639	\$3,639	\$3,639	\$0
<b>C. Software</b>					\$0	\$0	\$0	\$0
<b>D. External Service Provider(s)</b>			0	0	\$0	\$0	\$0	\$0
<b>E. Plant &amp; Facility</b>		3	0	0	\$10,569	\$10,569	\$10,569	\$0
<b>F. Other (Please describe in Footnotes Section below)</b>		4			\$32,599	\$26,278	\$26,278	\$0
<b>G. Total for IT Service</b>					<b>\$378,456</b>	<b>\$375,362</b>	<b>\$375,362</b>	<b>\$0</b>
<b>Footnotes - Please be sure to indicate there is a footnote for the corresponding row above. Maximum footnote length is 1024 characters.</b>								
1	Annual Salaries and Benefits for the State FTEs supporting this service area.							
2	This amount represents the annual costs of the copier/fax/scanner assigned to the Help Desk.							
3	This amount represents the annual cost of electricity, water, and sewage services for the Help Desk's remote facility.							
4	Miscellaneous costs associated with State Personnel Assessment charges: Telephones/Suncom; Printing and Reproduction; In-State Travel; Office Supplies; and Information Technology Supplies.							
5								
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**Non-Strategic IT Service: IT Security/Risk Mitigation Service**

Agency: **Florida Department of Agriculture and Consumer Services**  
 Prepared by: **Dusty Boyce**  
 Phone: **(850) 245-1050**

Form: FY 2010-11 Schedule IV-C -Non-Strategics; Ver 1

Service Provisioning -- Assets & Resources (Cost Elements)	Footnote Number	# of Assets & Resources Apportioned to this IT Service in FY 2010-11		Estimated IT Service Costs			
		Number used for this service	Number w/ costs in FY 2010-11	A Initial Estimate for Fiscal Year 2009-10	B Estimated FY 2009-10 Allocation of Recurring Base Budget (based on Column G64 minus G65)	C Estimated FY 2010-11 Allocation of Recurring Base Budget (based on Column G64 minus G65)	D Planned Increase/Decrease Use of Recurring Base Funding (Columns C - B)
<b>A. Personnel</b>		6.85		\$507,614	\$502,842	\$502,842	\$0
A-1 State FTE	1	6.85		\$507,614	\$502,842	\$502,842	\$0
A-2 OPS FTE		0.00		\$0	\$0	\$0	\$0
A-3 Contractor Positions (Staff Augmentation)		0.00		\$0	\$0	\$0	\$0
<b>B. Hardware</b>		6	0	\$0	\$0	\$0	\$0
B-1 Servers	2	6	0	\$0	\$0	\$0	\$0
B-2 Server Maintenance & Support		0	0	\$0	\$0	\$0	\$0
B-3 Other Hardware Assets (e.g., system mgt workstation, printers, UPS, etc)		0	0	\$0	\$0	\$0	\$0
<b>C. Software</b>	3			\$122,767	\$50,191	\$50,191	\$0
<b>D. External Service Provider(s)</b>	4	0	0	\$281,211	\$281,211	\$135,400	-\$145,811
<b>E. Plant &amp; Facility</b>		0	0	\$0	\$0	\$0	\$0
<b>F. Other (Please describe in Footnotes Section below)</b>	5			\$15,642	\$11,636	\$11,636	\$0
<b>G. Total for IT Service</b>				\$927,234	\$845,880	\$700,069	-\$145,811

**Footnotes** - Please be sure to indicate there is a footnote for the corresponding row above. Maximum footnote length is 1024 characters.

1	Annual Salaries and Benefits for the State FTEs supporting this service area.
2	Six (6) servers are utilized by the IT Security / Risk Mitigation Service to support the McAfee E-Policy Orchestrator; Intrushield; Patch Management; and Safeboot software. The servers, when purchased, were acquired with a five (5) year extended warranty.
3	Annual licenses/support charges for the software provided by PC Specialists, Inc.; OPSWAT, Inc.; Shavlik Technologies; and Spectrum Systems, Inc.
4	Annual costs for Disaster Recovery Services
5	Miscellaneous costs associated with State Personnel Assessment charges; Telephones/Suncom; Printing and Reproduction; In-State Travel; Office Supplies; and Information Technology Supplies.
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Non-Strategic IT Service: **IT Support Service for Agency Financial and Administrative Systems**

Agency: **Florida Department of Agriculture and Consumer Services**

Form: FY 2010-11 Schedule IV-C -Non-Strategics; Ver 1

Prepared by: **Dusty Boyce**

Phone: **(850) 245-1050**

Service Provisioning -- Assets & Resources (Cost Elements)	Footnote Number	# of Assets & Resources Apportioned to this IT Service in FY 2010-11		Estimated IT Service Costs			
		Number used for this service	Number w/ costs in FY 2010-11	A Initial Estimate for Fiscal Year 2009-10	B Estimated FY 2009-10 Allocation of Recurring Base Budget (based on Column G64 minus G65)	C Estimated FY 2010-11 Allocation of Recurring Base Budget (based on Column G64 minus G65)	D Planned Increase/Decrease Use of Recurring Base Funding (Columns C - B)
<b>A. Personnel</b>		3.40		\$266,334	\$340,357	\$340,357	\$0
A-1 State FTE	1	2.90		\$266,334	\$245,978	\$245,978	\$0
A-2 OPS FTE		0.00		\$0	\$0	\$0	\$0
A-3 Contractor Positions (Staff Augmentation)	2	0.50		\$0	\$94,379	\$94,379	\$0
<b>B. Hardware</b>		9	0	\$180	\$684	\$684	\$0
B-1 Servers	3	9	0	\$0	\$0	\$0	\$0
B-2 Server Maintenance & Support	4	0	0	\$180	\$684	\$684	\$0
B-3 Other Hardware Assets (e.g., system mgt workstation, printers, etc)		0	0	\$0	\$0	\$0	\$0
<b>C. Software</b>	5			\$25,325	\$21,229	\$21,229	\$0
<b>D. External Service Provider(s)</b>	6	0	0	\$159,379	\$70,000	\$70,000	\$0
<b>E. Plant &amp; Facility</b>		0	0	\$0	\$0	\$0	\$0
<b>F. Other (Please describe in Footnotes Section below)</b>				\$0	\$0	\$0	\$0
<b>G. Total for IT Service</b>				\$451,218	\$432,270	\$432,270	\$0

**Footnotes** - Please be sure to indicate there is a footnote for the corresponding row above. Maximum footnote length is 1024 characters.

1	Annual Salaries and Benefits for the State FTEs supporting this service area.
2	Staff augmentation for the E-Commerce and Revenue System from Imager Software Consulting, Inc. (ISC).
3	Nine (9) servers are utilized by the IT Support Service for Agency Financial and Administrative Systems. The servers, when purchased, were acquired with a five (5) year extended warranty.
4	This amount represents the annual for the Unisys hardware/software maintenance and support.
5	This amount represents the annual software maintenance and support for the Aperta; Impromptu; ClientBuilder; E-Form; and Verisign - P-card; software products.
6	This amount represents the cost of the maintenance and support services provided by Image API.
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**Non-Strategic IT Service: IT Administration and Management Service**

Agency: **Florida Department of Agriculture and Consumer Services**  
 Prepared by: **Dusty Boyce**  
 Phone: **(850) 245-1050**

Form: FY 2010-11 Schedule IV-C -Non-Strategics; Ver 1

Service Provisioning -- Assets & Resources (Cost Elements)	Footnote Number	# of Assets & Resources Apportioned to this IT Service in FY 2010-11		Estimated IT Service Costs			
		Number used for this service	Number w/ costs in FY 2010-11	A Initial Estimate for Fiscal Year 2009-10	B Estimated FY 2009-10 Allocation of Recurring Base Budget (based on Column G64 minus G65)	C Estimated FY 2010-11 Allocation of Recurring Base Budget (based on Column G64 minus G65)	D Planned Increase/Decrease Use of Recurring Base Funding (Columns C - B)
<b>A. Personnel</b>		14.90		\$1,448,530	\$1,330,616	\$1,330,616	\$0
A-1 State FTE	1	14.90		\$1,448,530	\$1,330,616	\$1,330,616	\$0
A-2 OPS FTE		0.00		\$0	\$0	\$0	\$0
A-3 Contractor Positions (Staff Augmentation)		0.00		\$0	\$0	\$0	\$0
<b>B. Hardware</b>		0	0	\$4,326	\$4,325	\$4,325	\$0
B-1 Servers		0	0	\$0	\$0	\$0	\$0
B-2 Server Maintenance & Support		0	0	\$0	\$0	\$0	\$0
B-3 Other Hardware Assets (e.g., system mgt workstation, printers, etc)	2	0	0	\$4,326	\$4,325	\$4,325	\$0
<b>C. Software</b>				\$0	\$0	\$0	\$0
<b>D. External Service Provider(s)</b>	3	0	0	\$3,655	\$2,923	\$2,923	\$0
<b>E. Plant &amp; Facility</b>	4	0	0	\$29,812	\$29,812	\$29,812	\$0
<b>F. Other (Please describe in Footnotes Section below)</b>	5			\$120,550	\$58,153	\$58,153	\$0
<b>G. Total for IT Service</b>				<b>\$1,606,873</b>	<b>\$1,425,829</b>	<b>\$1,425,829</b>	<b>\$0</b>

**Footnotes** - Please be sure to indicate there is a footnote for the corresponding row above. Maximum footnote length is 1024 characters.

1	Annual Salaries and Benefits for the State FTEs supporting this service area.
2	This amount represents the annual costs of the copier/fax/printer.
3	This amount represents the annual costs of the external service providers: Liberty Communications; Comcast; DSL Lines; TDS; and Direct TV.
4	This amount represents the costs to operate the Plant and Facilities which the Department owns.
5	Miscellaneous costs associated with State Personnel Assessment charges; Telephones/Suncom; Printing and Reproduction; In-State Travel; Office Supplies; and Information Technology Supplies.
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## 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>	Pompano Beach, et al. v. DOACS (In re Citrus Canker Litigation) (Cox and Martinez cases)		
<b>Court with Jurisdiction:</b>	Broward County Circuit Court		
<b>Case Number:</b>	00-18394		
<b>Summary of the Complaint:</b>	Lawsuit for damages for removal of canker-exposed citrus trees in Broward County under theories of inverse condemnation and statutory liability.		
<b>Amount of the Claim:</b>	Unliquidated, but more than \$50 million.		
<b>Specific Law(s) Challenged:</b>	Fla. Stat. § 581.1845.		
<b>Status of the Case:</b>	Court certified class of Broward homeowners who lost canker-exposed citrus trees. Judgment for \$8,043,501 was entered on October 6, 2008. The judgment is on appeal and is being briefed.		
<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>	Alters Boldt Brown Rash & Culmo, P.A. 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		

## 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>	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. Certification of a class in Martinez was denied, and is also on appeal.		
<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>	Alters Boldt Brown Rash & Culmo, P.A. 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		

## 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>	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. The trial on damages is not currently scheduled.		
<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>	Alters Boldt Brown Rash & Culmo, P.A. Weiss, Serota, Helfman, Pastoriza & Guedes, P.A. Lytal Reiter Clark Fountain & Williams, P.A. Berman, Devalerio, Pease, Tabacco, Burt & Pucillo		

### 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>	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. No trials are currently scheduled.		
<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>	Alters Boldt Brown Rash & Culmo, P.A. Weiss, Serota, Helfman, Pastoriza & Guedes, P.A. Lytal Reiter Clark Fountain & Williams, P.A. Berman, Devalerio, Pease, Tabacco, Burt & Pucillo		

## 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>	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. A hearing is scheduled for December, 2009.		
<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>	Alters Boldt Brown Rash & Culmo, P.A. Weiss, Serota, Helfman, Pastoriza & Guedes, P.A. Lytal Reiter Clark Fountain & Williams, P.A. Berman, Devalerio, Pease, Tabacco, Burt & Pucillo		

## 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>	305-858-5555
<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. The trial court stayed the case, and the stay is on appeal and is being briefed. 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>	Dooley Groves v. DOACS		
<b>Court with Jurisdiction:</b>	Hillsborough County Circuit Court		
<b>Case Number:</b>	09-12839		
<b>Summary of the Complaint:</b>	Lawsuit for damages for destroyed commercial citrus.		
<b>Amount of the Claim:</b>	Approximately \$1 million, plus interest, costs, and attorneys' fees.		
<b>Specific Law(s) Challenged:</b>	N/A		
<b>Status of the Case:</b>	DOACS has moved to dismiss. No hearing date. This 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		

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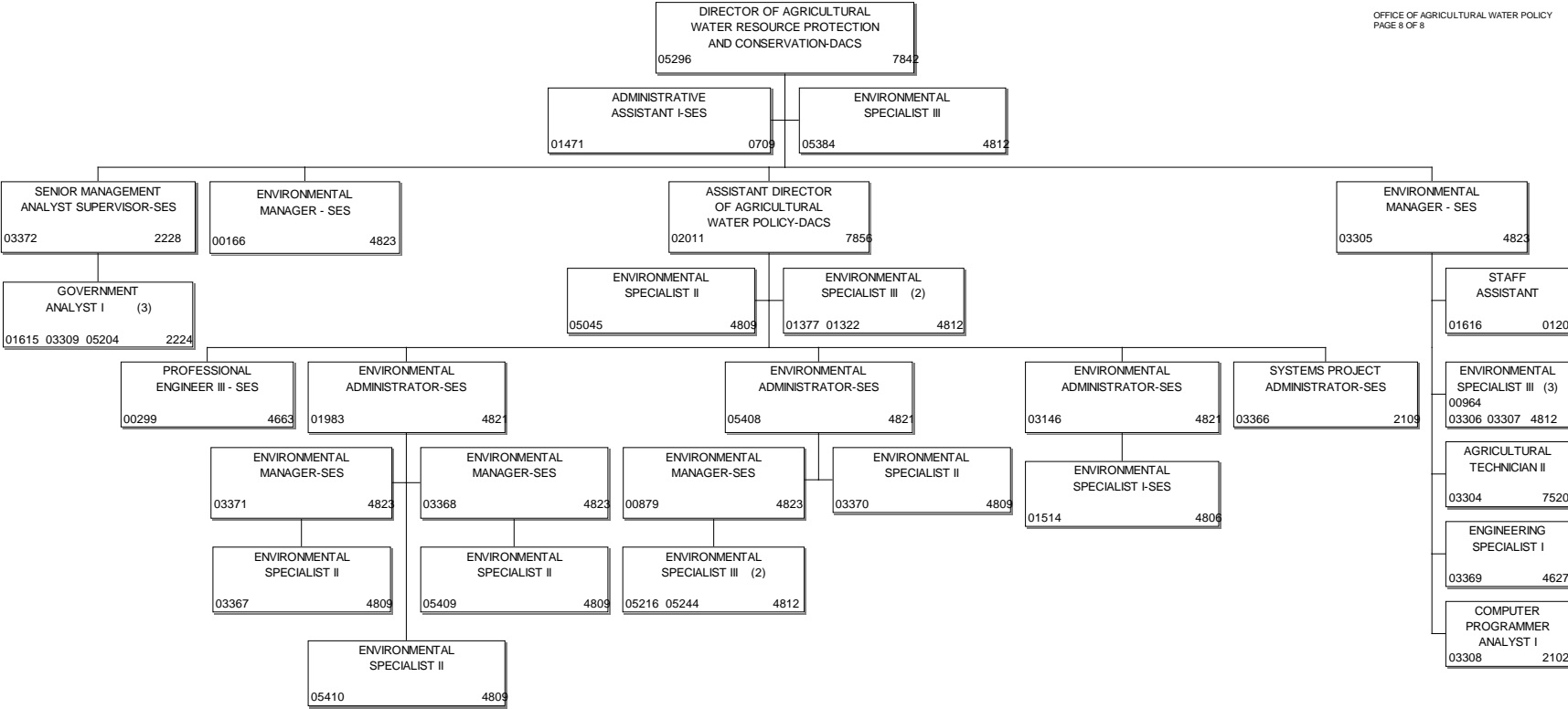


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PERSONNEL MANAGEMENT  
DATE APPROVED: 05/29/2009

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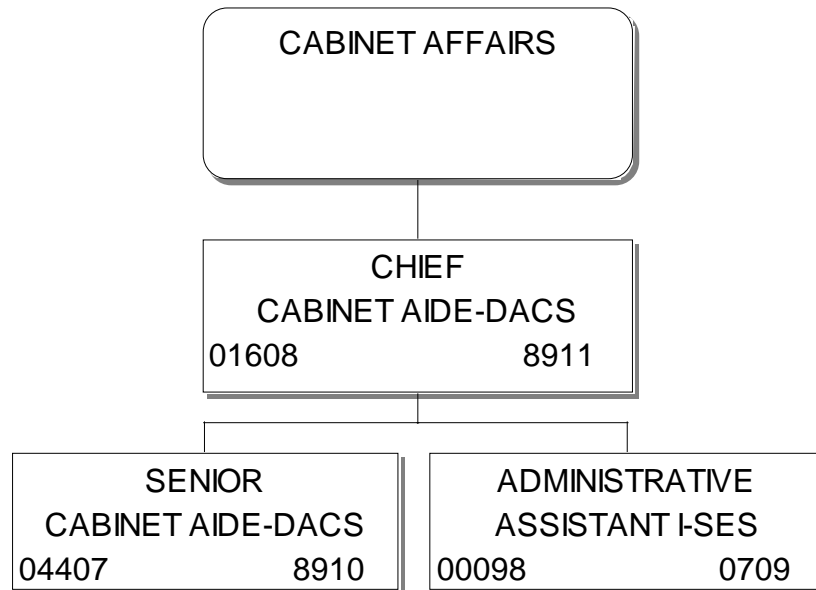
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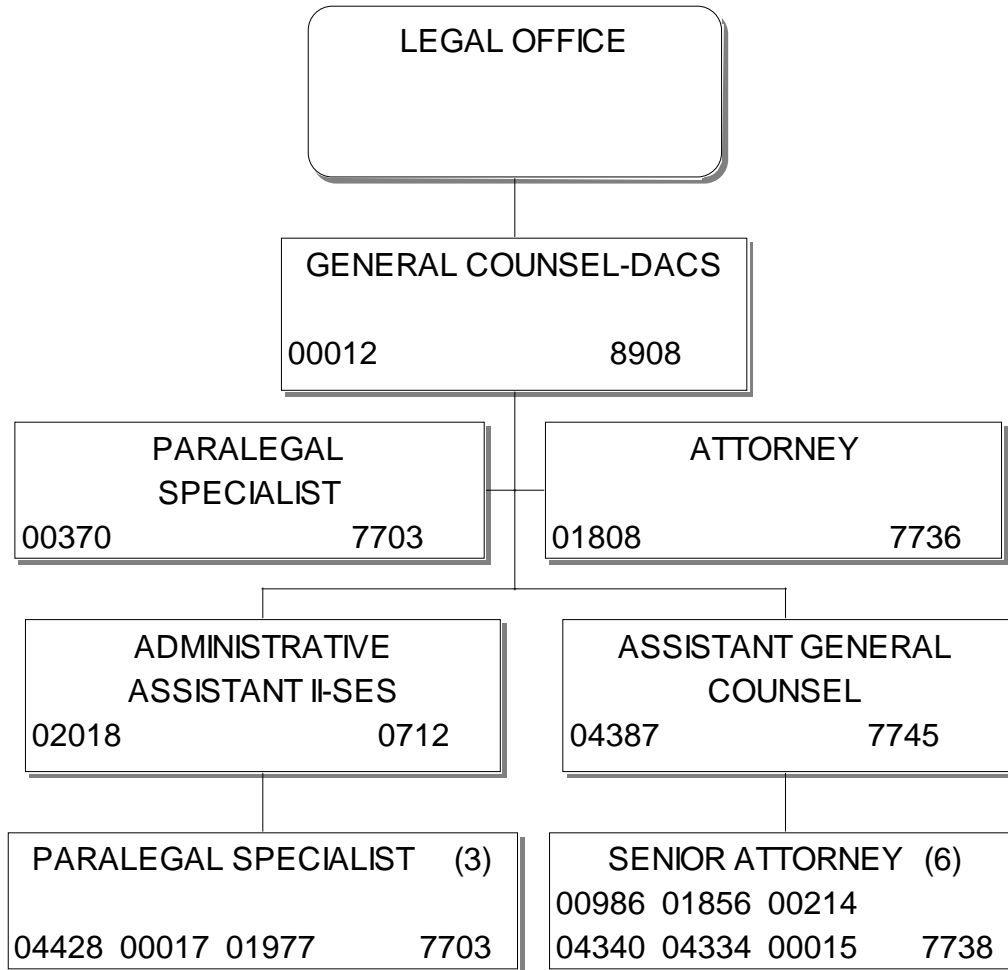
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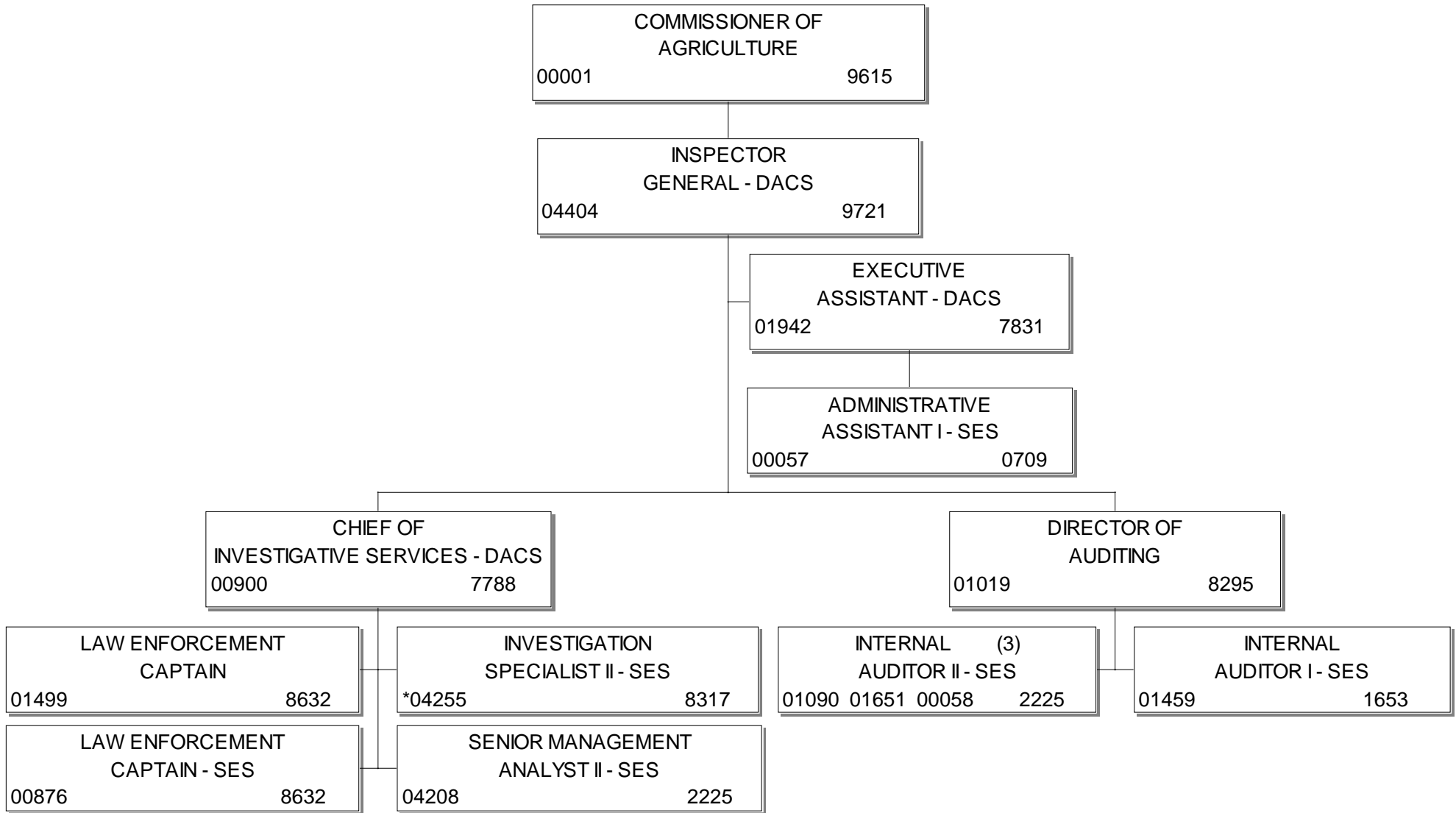
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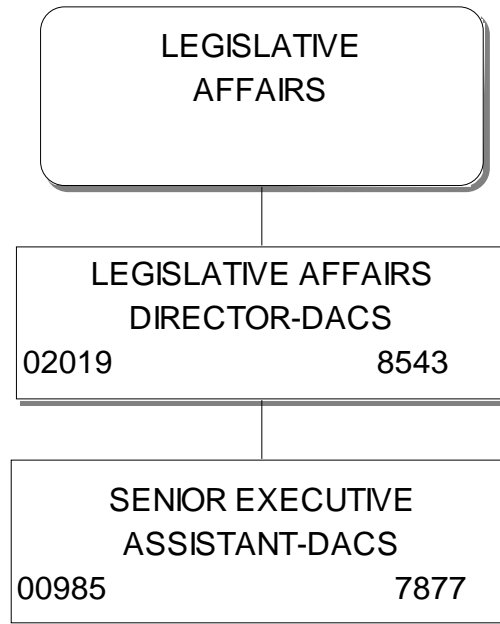
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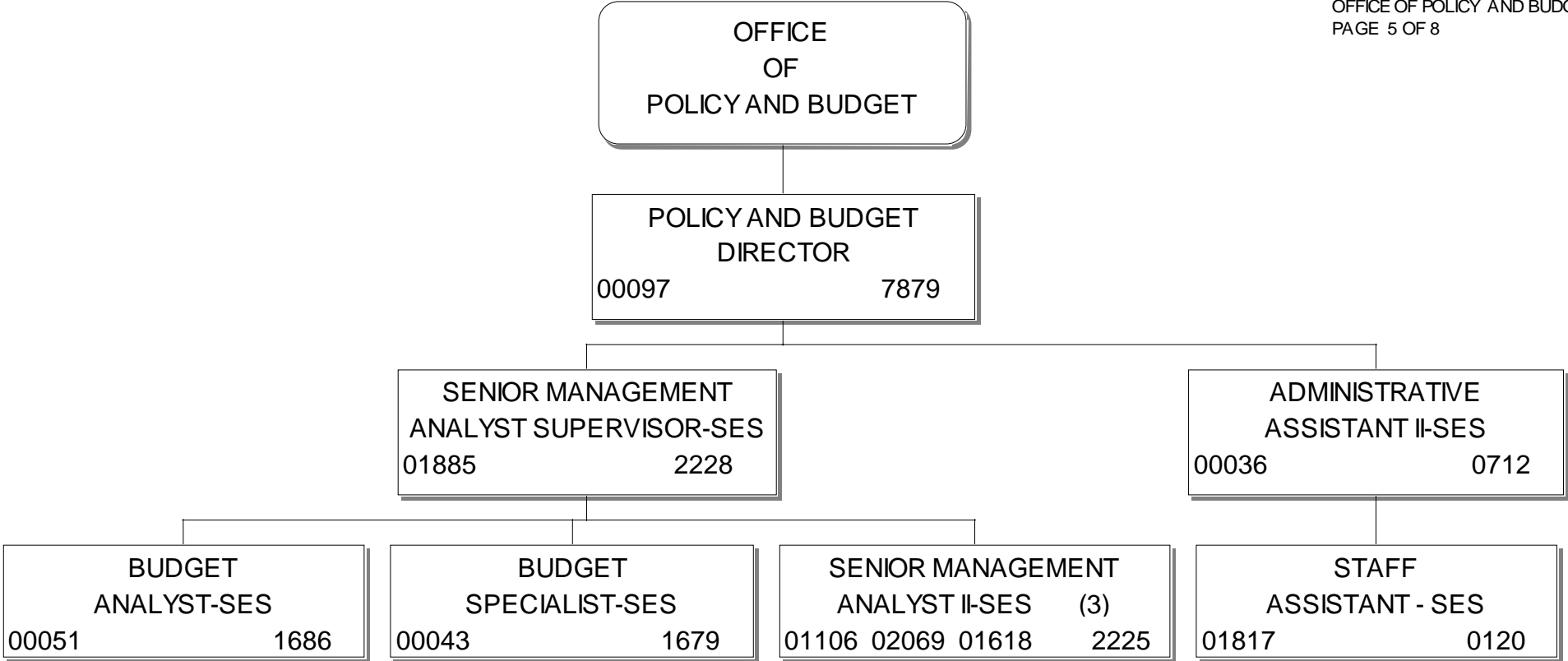
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DATE APPROVED: 05/29/2009

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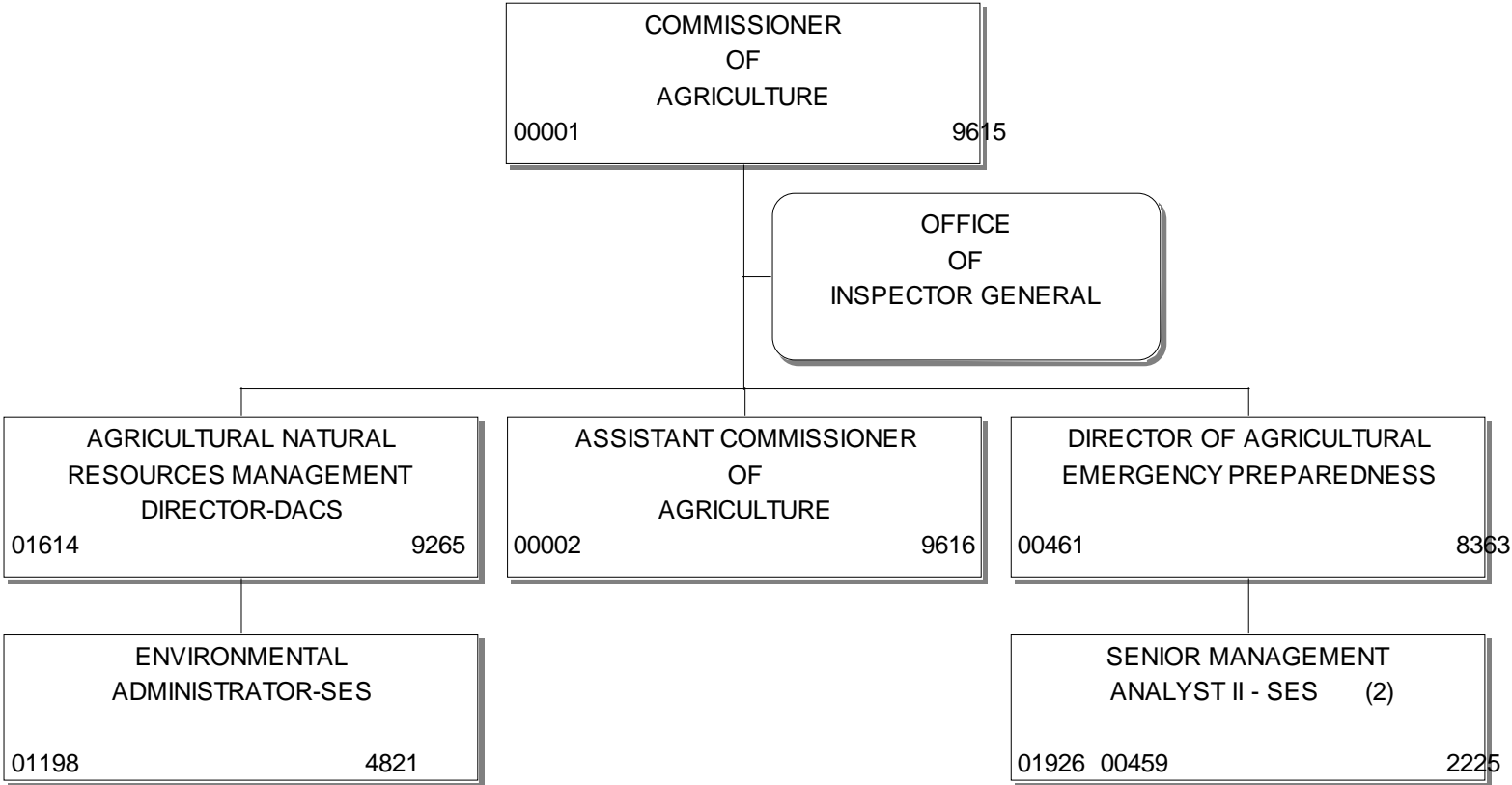
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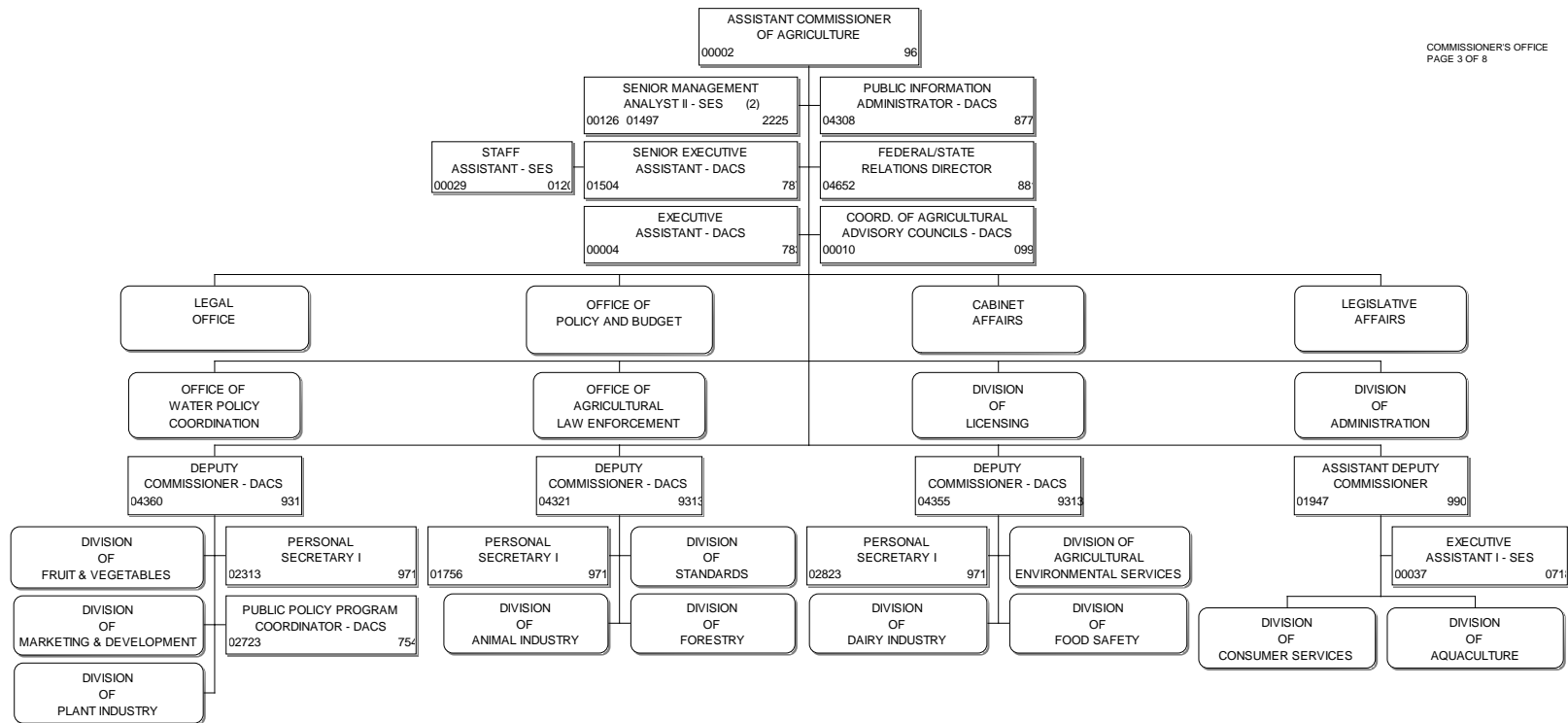
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# FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES COMMISSIONER'S OFFICE



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WES SINGLETERY, CHIEF OF  
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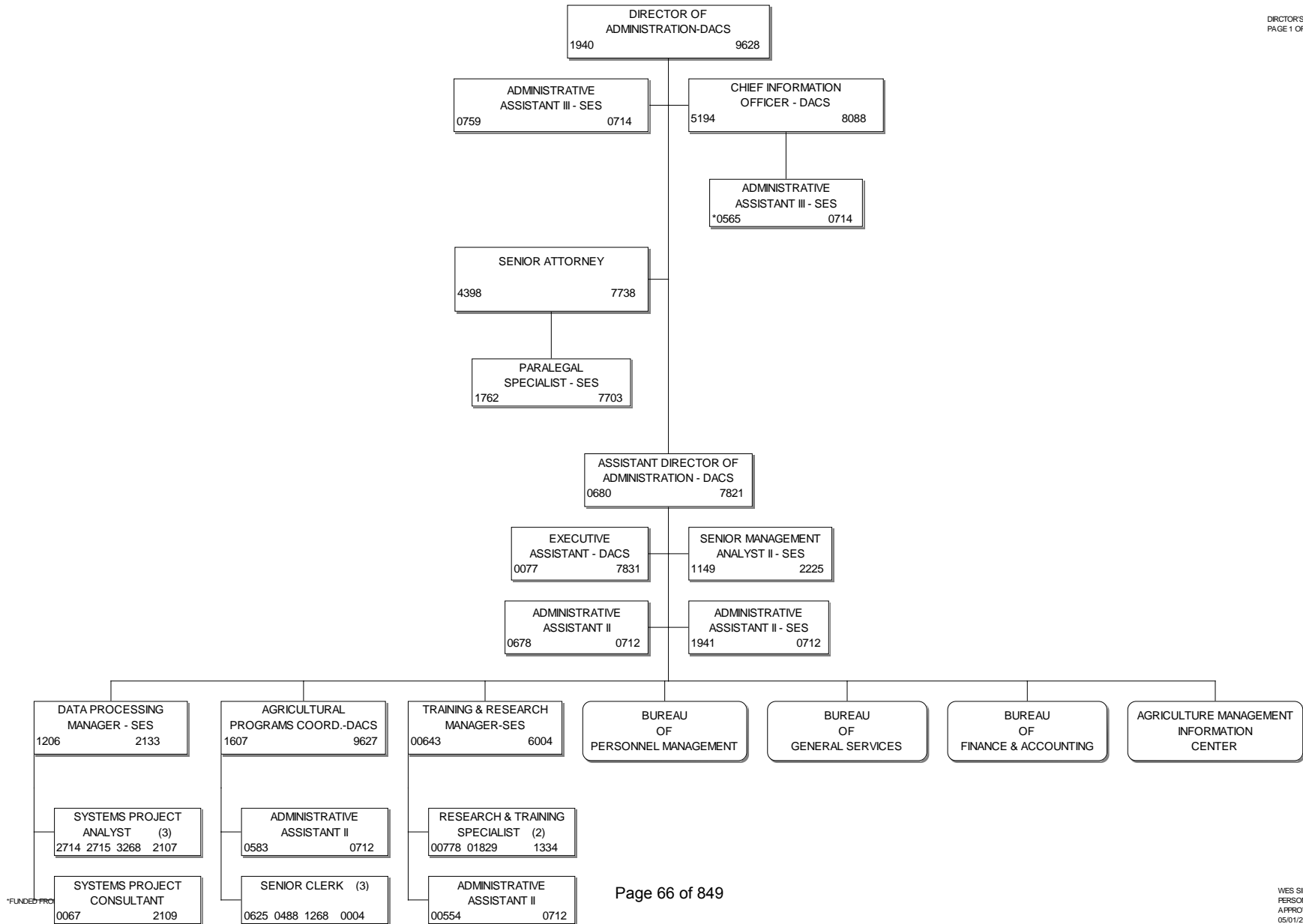


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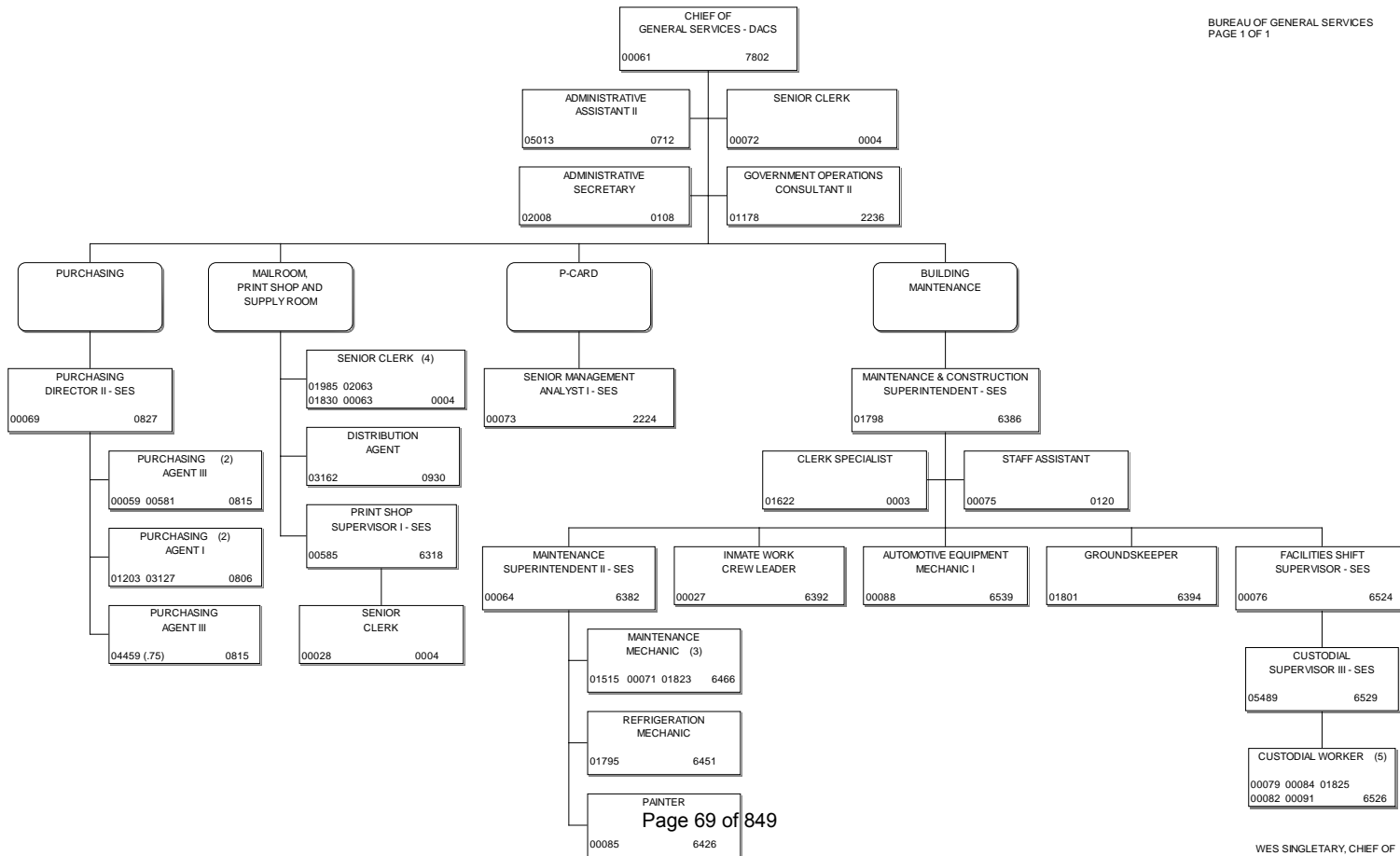
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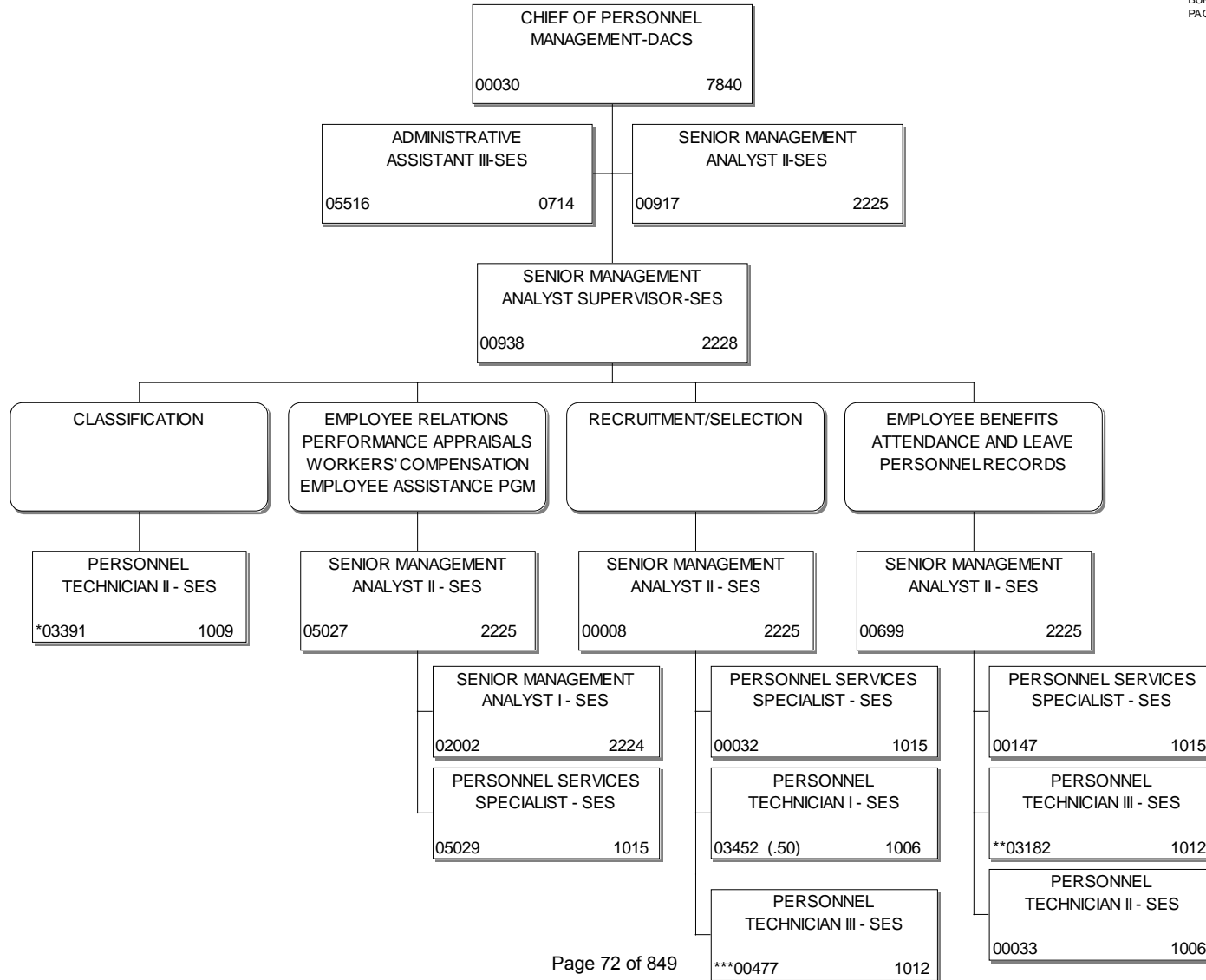
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\*Funded from Div. of Forestry  
\*\*Funded from Div. of Aquaculture  
\*\*\*Funded from Div. of Food Safety



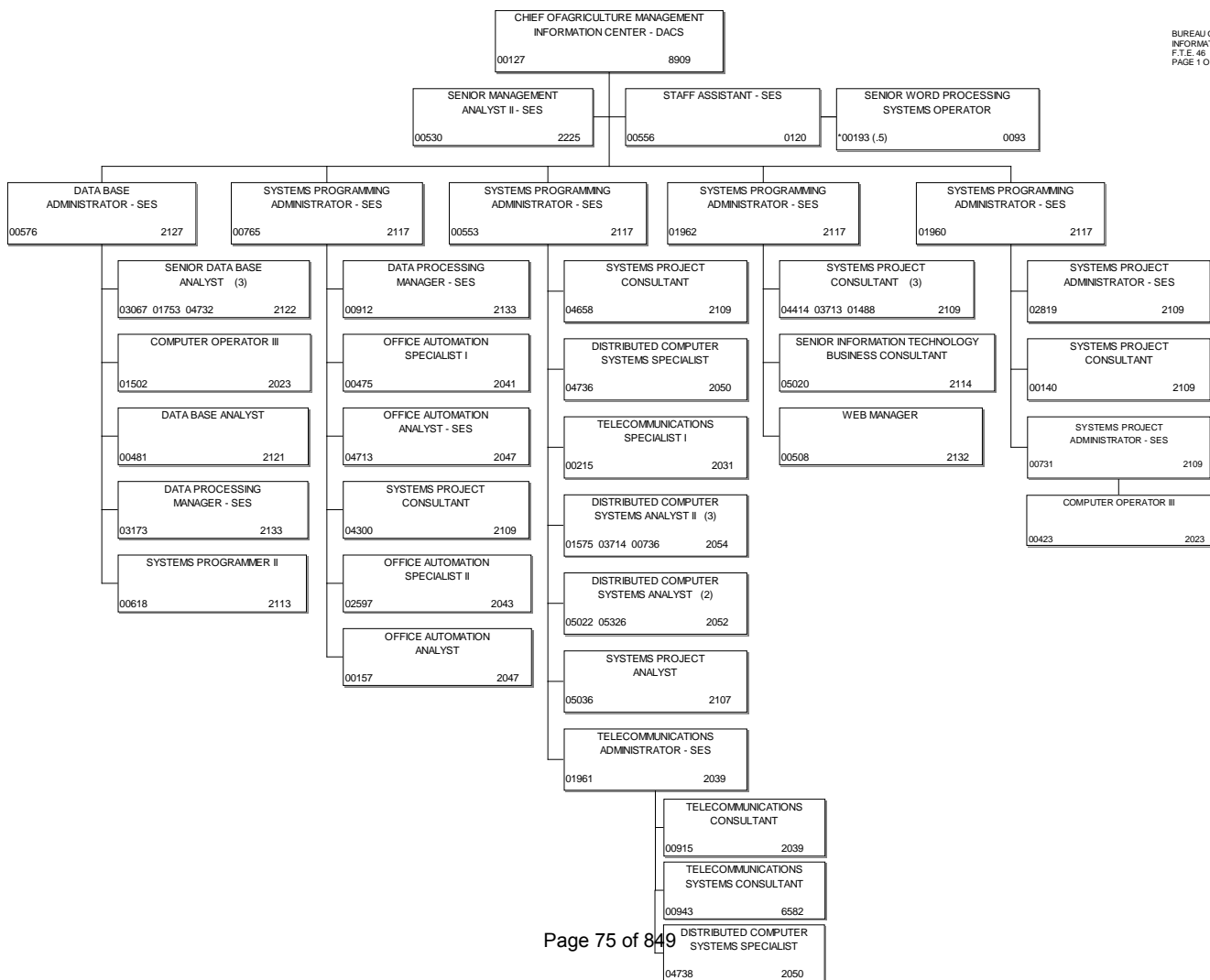
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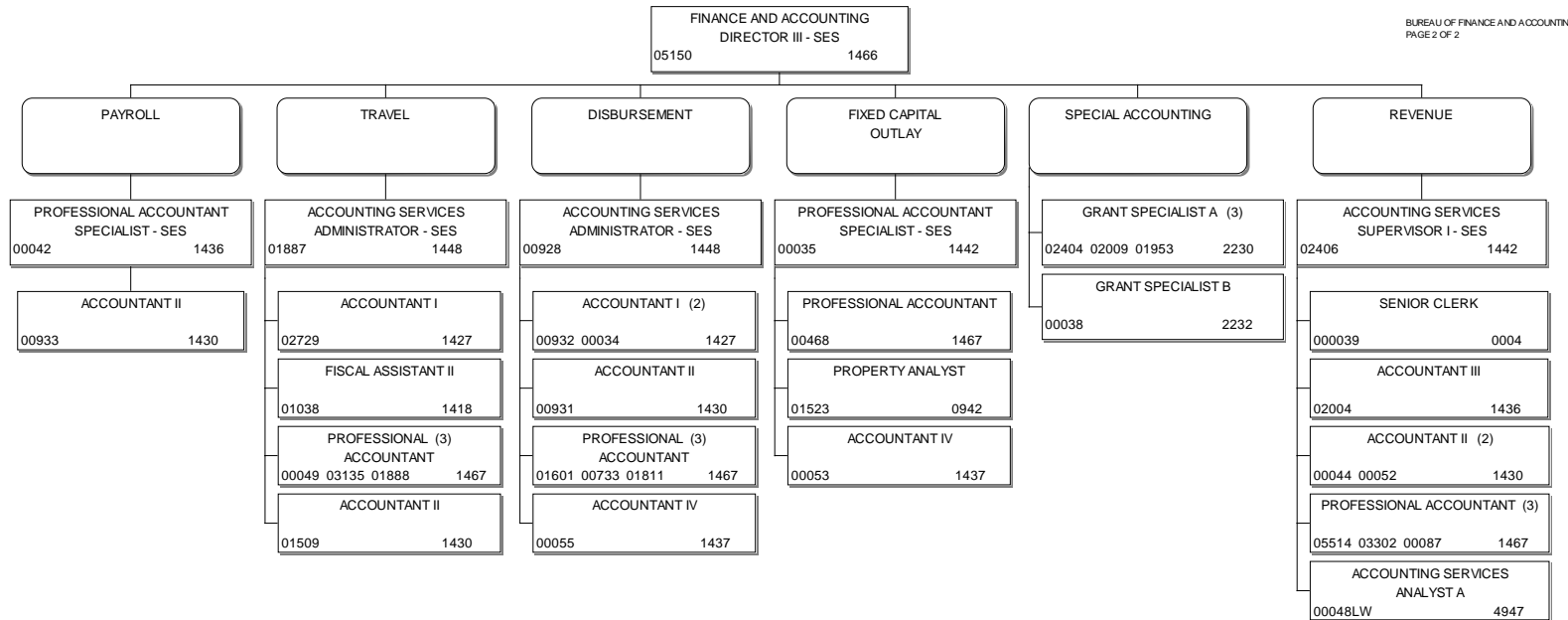
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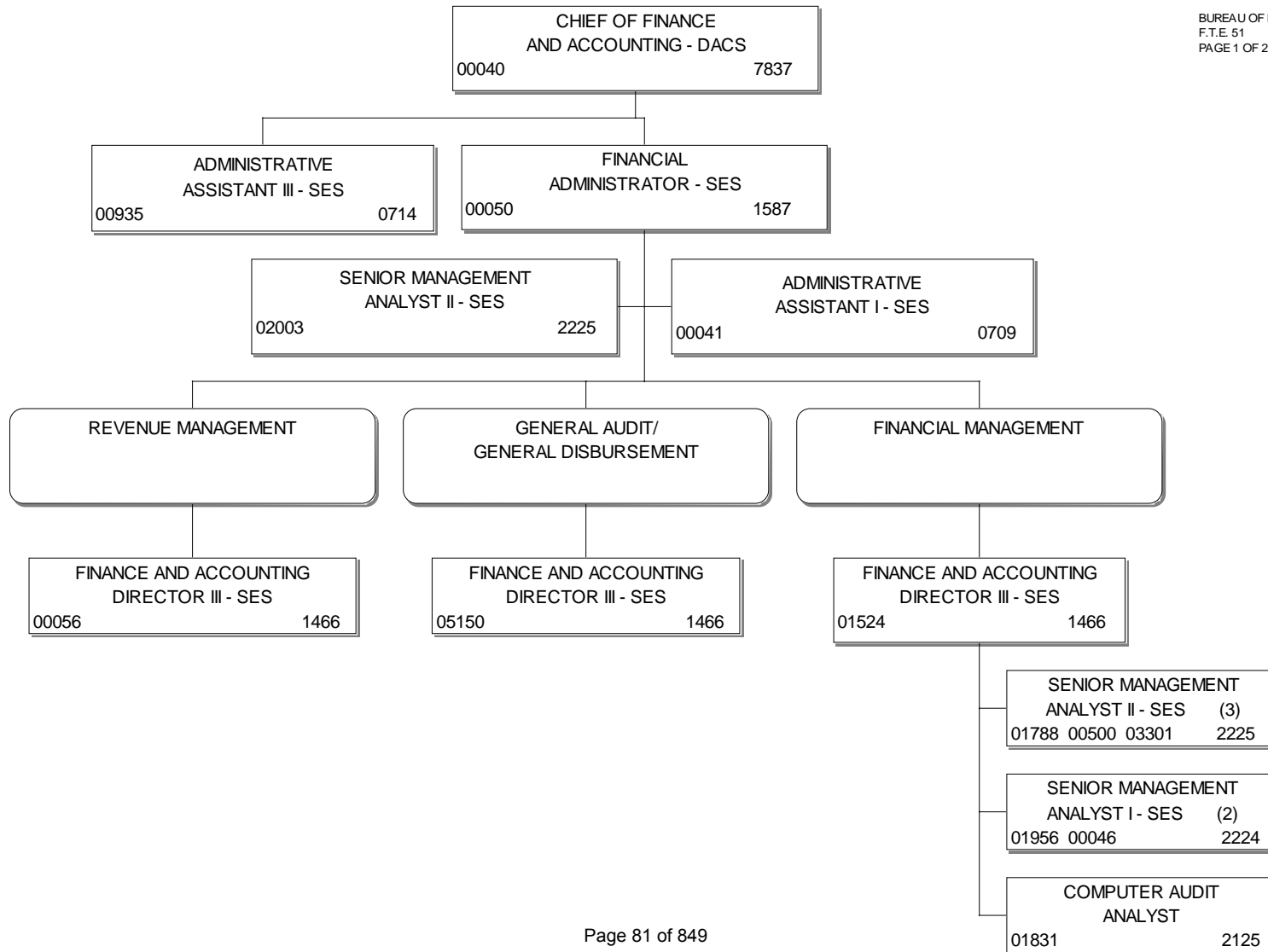
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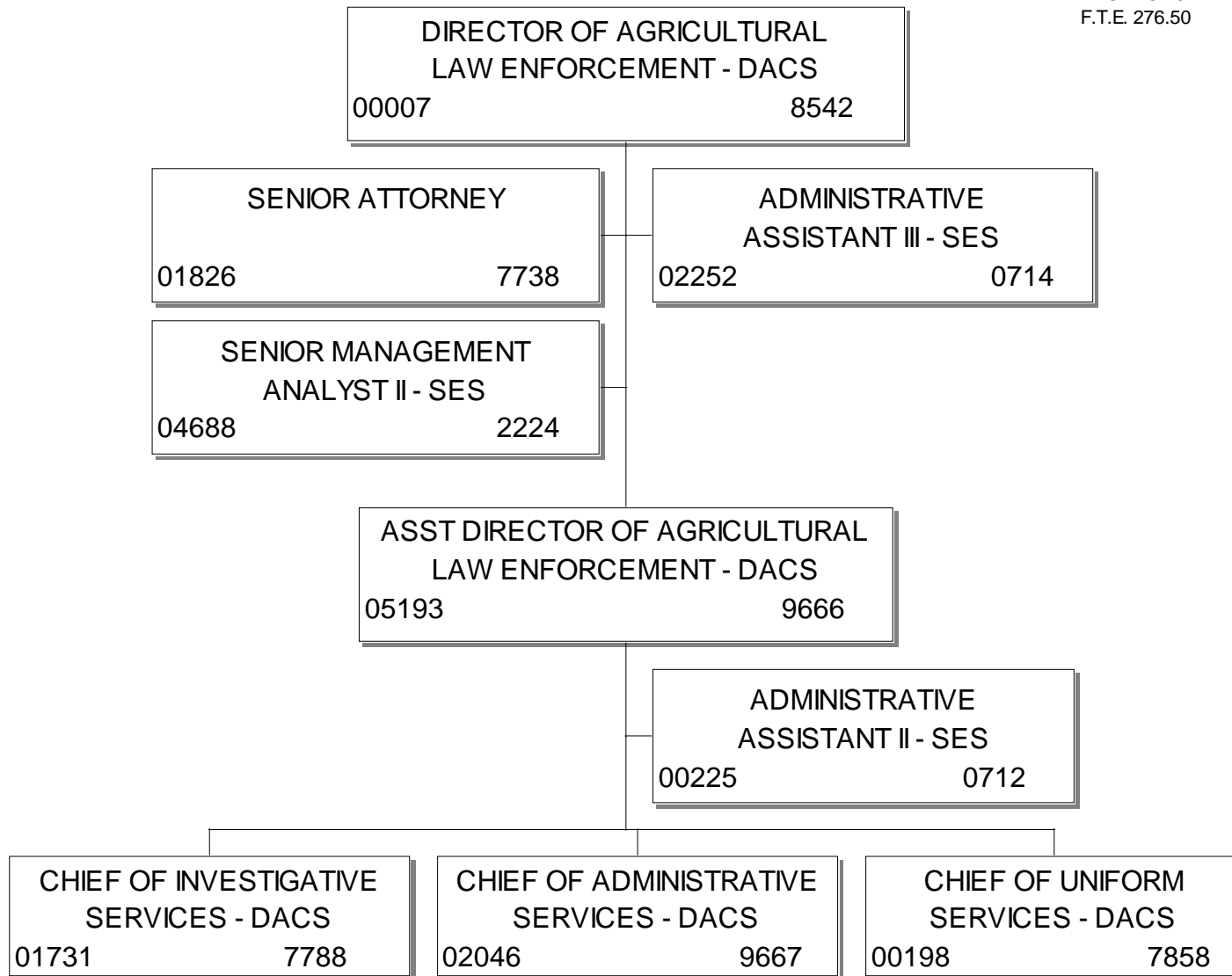
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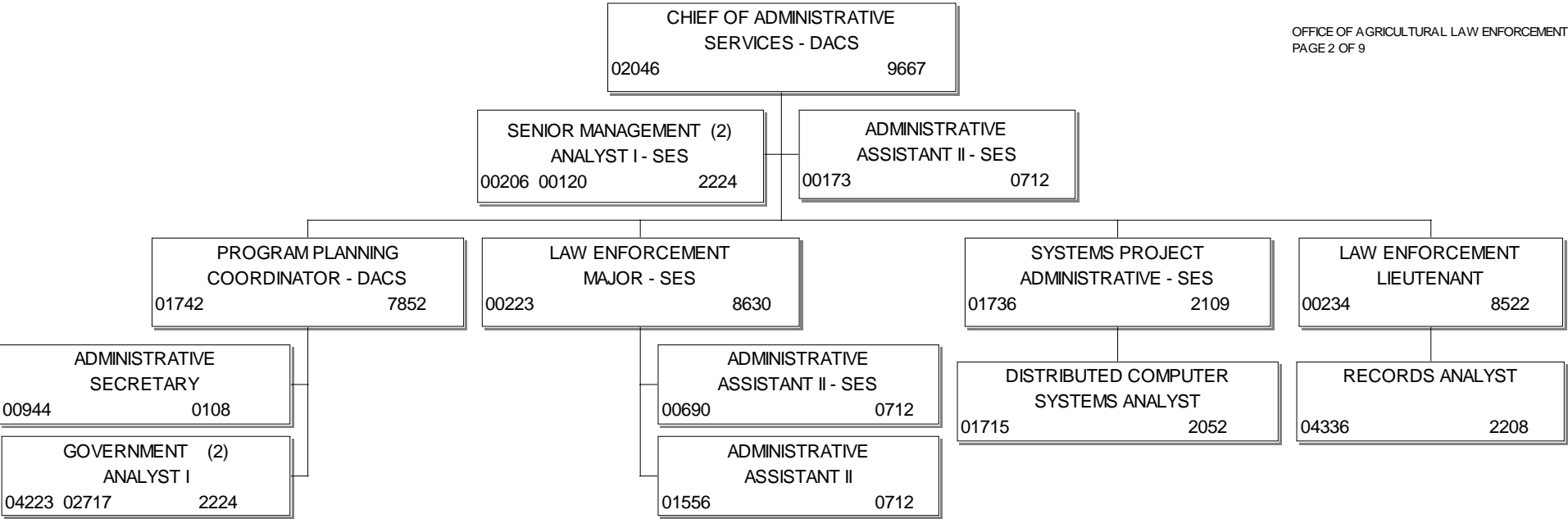
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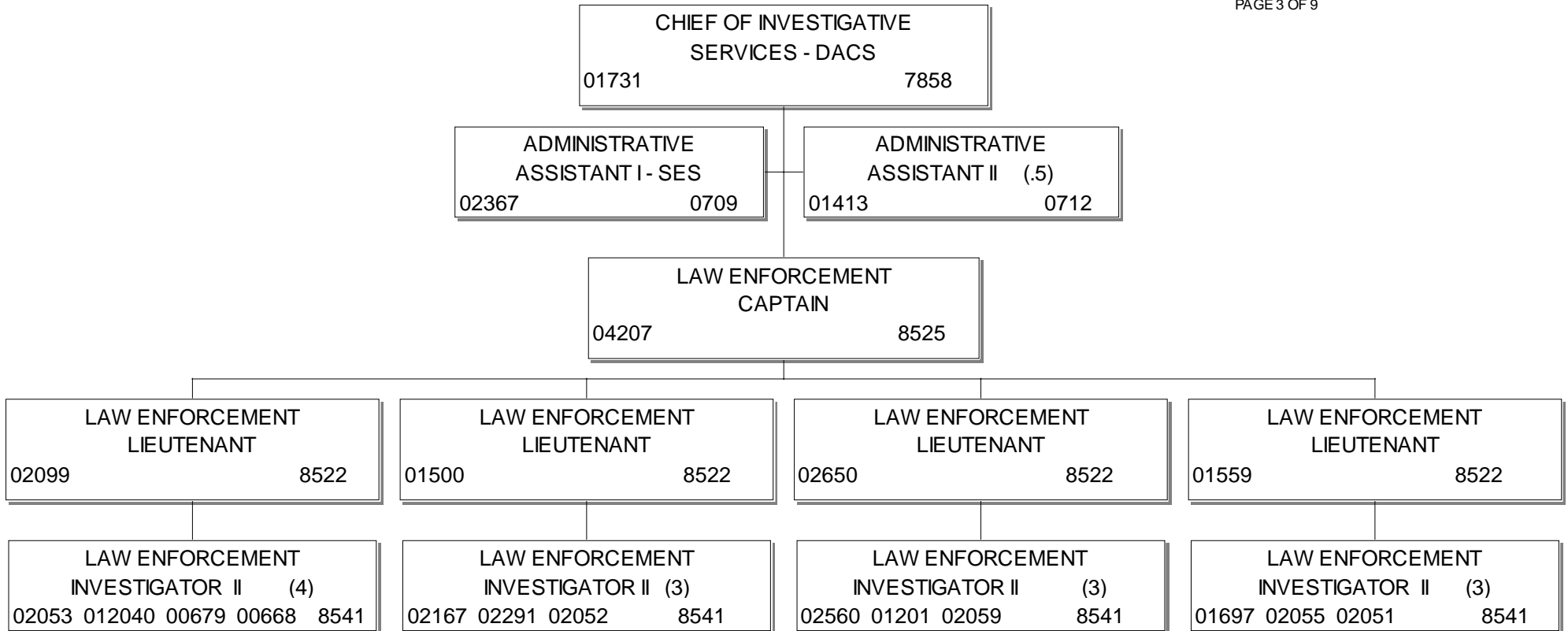


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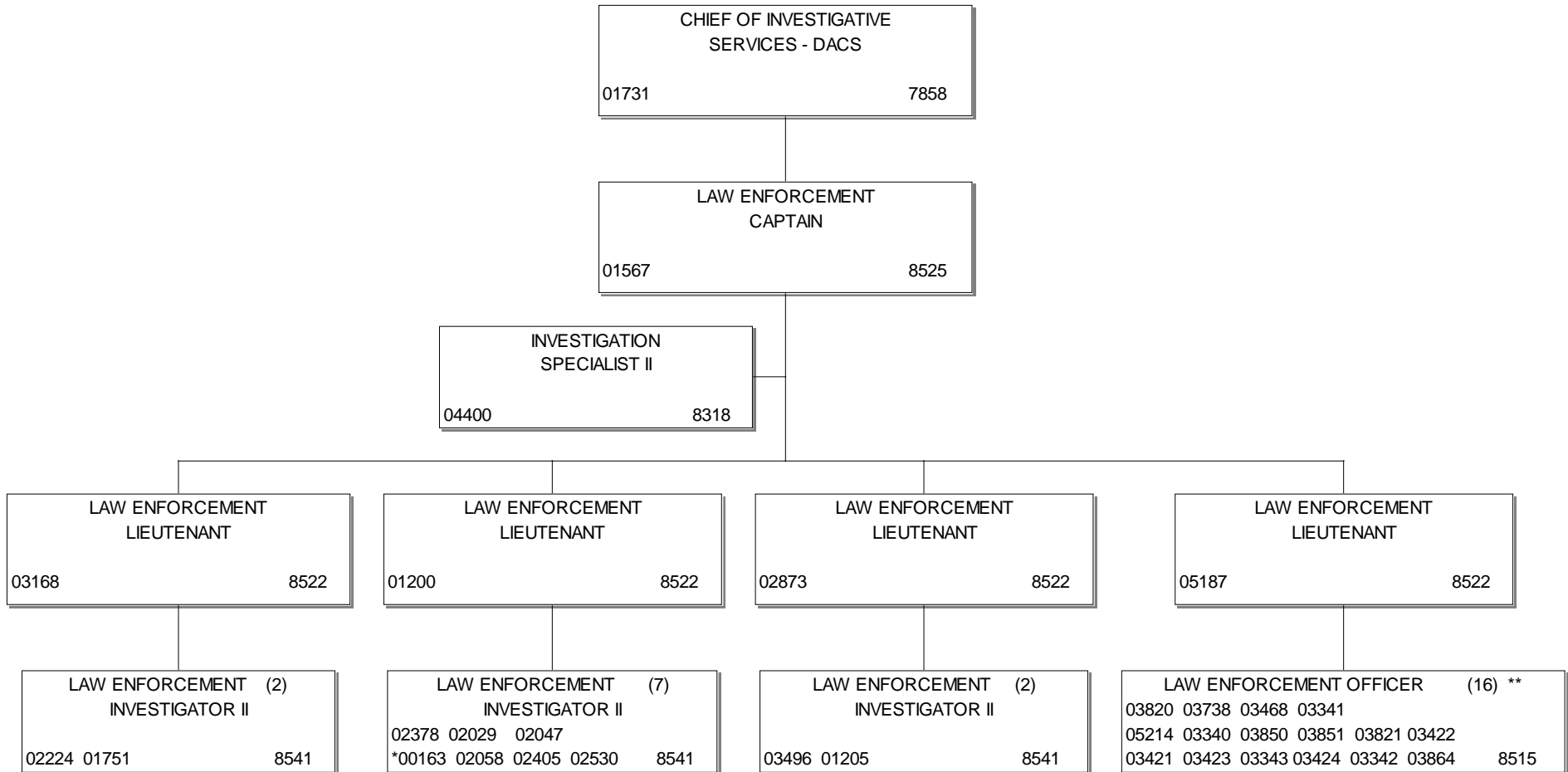
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\*FUNDED FROM DIV. OF AGRICULTURAL ENVIRONMENTAL SERVICES

\*\* ALL POSITIONS FUNDED FROM DIV. OF FORESTRY - CARL

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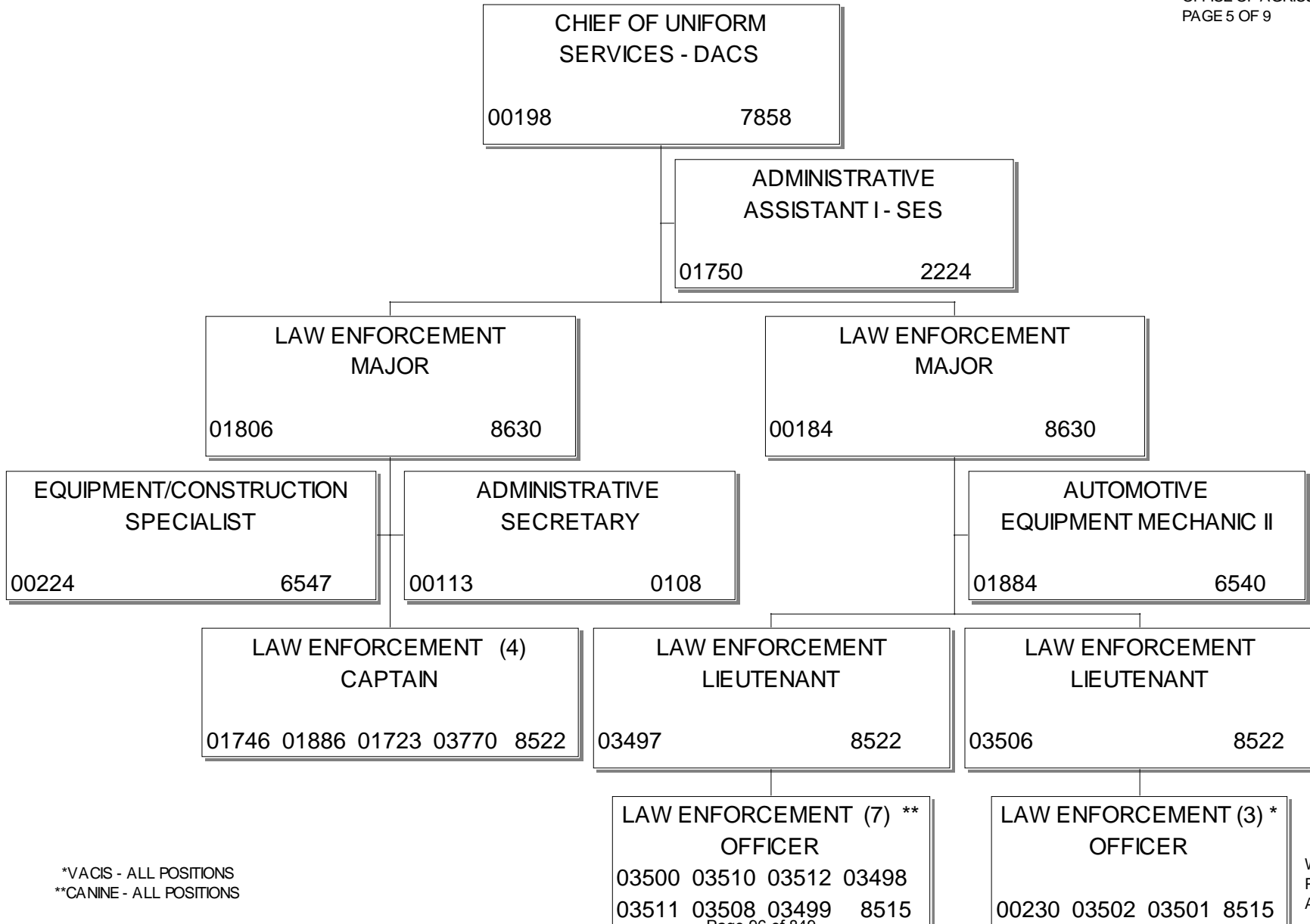
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\*VACIS - ALL POSITIONS  
\*\*CANINE - ALL POSITIONS

WES SINGLETARY, CHIEF OF PERSONNEL MANAGEMENT  
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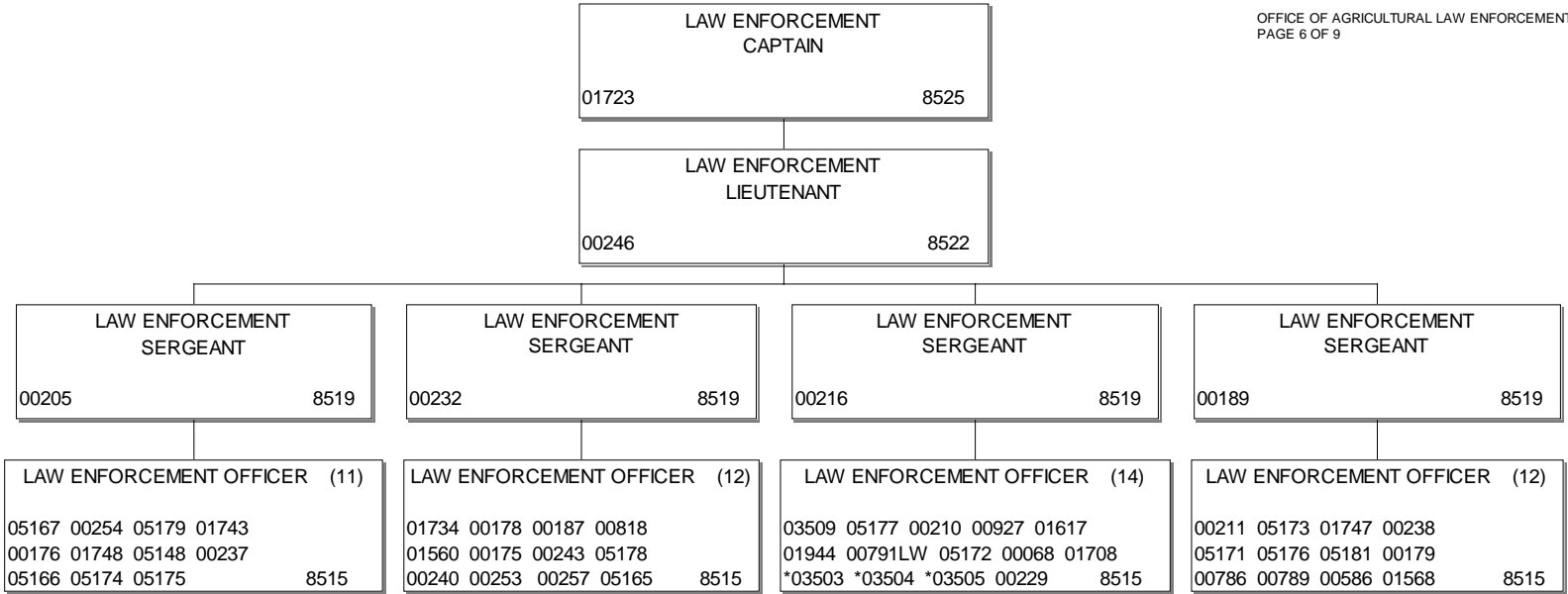
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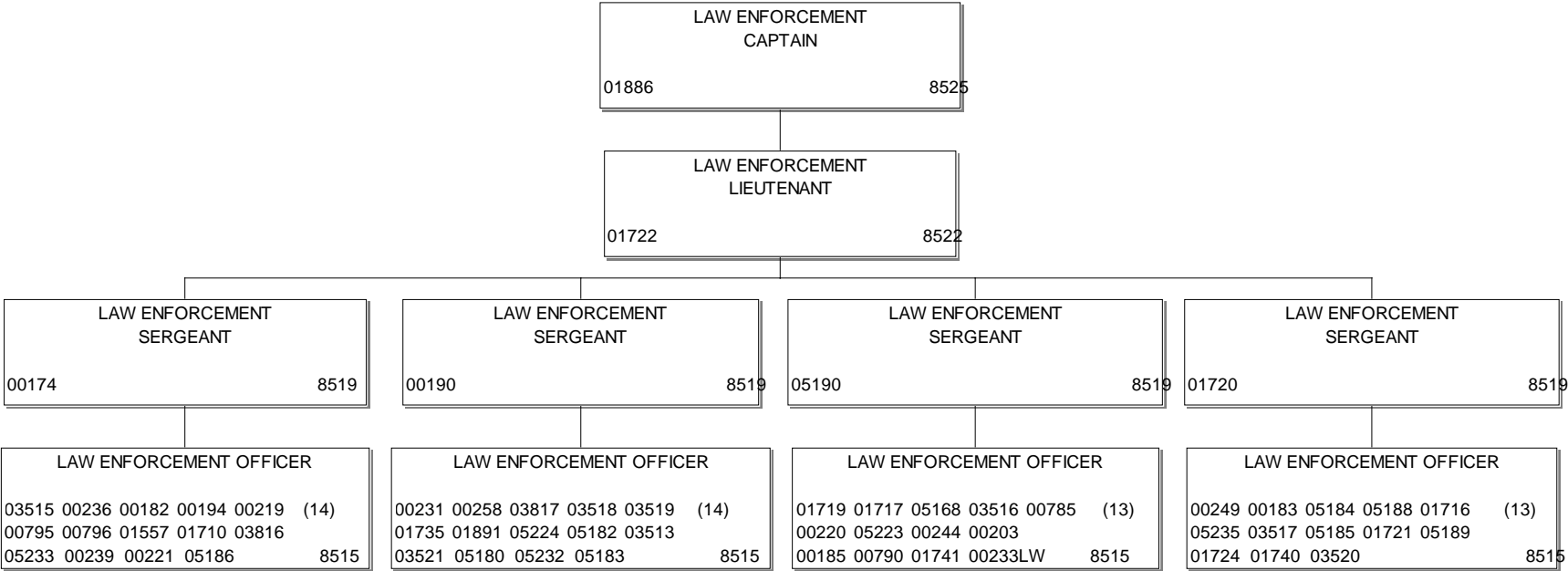
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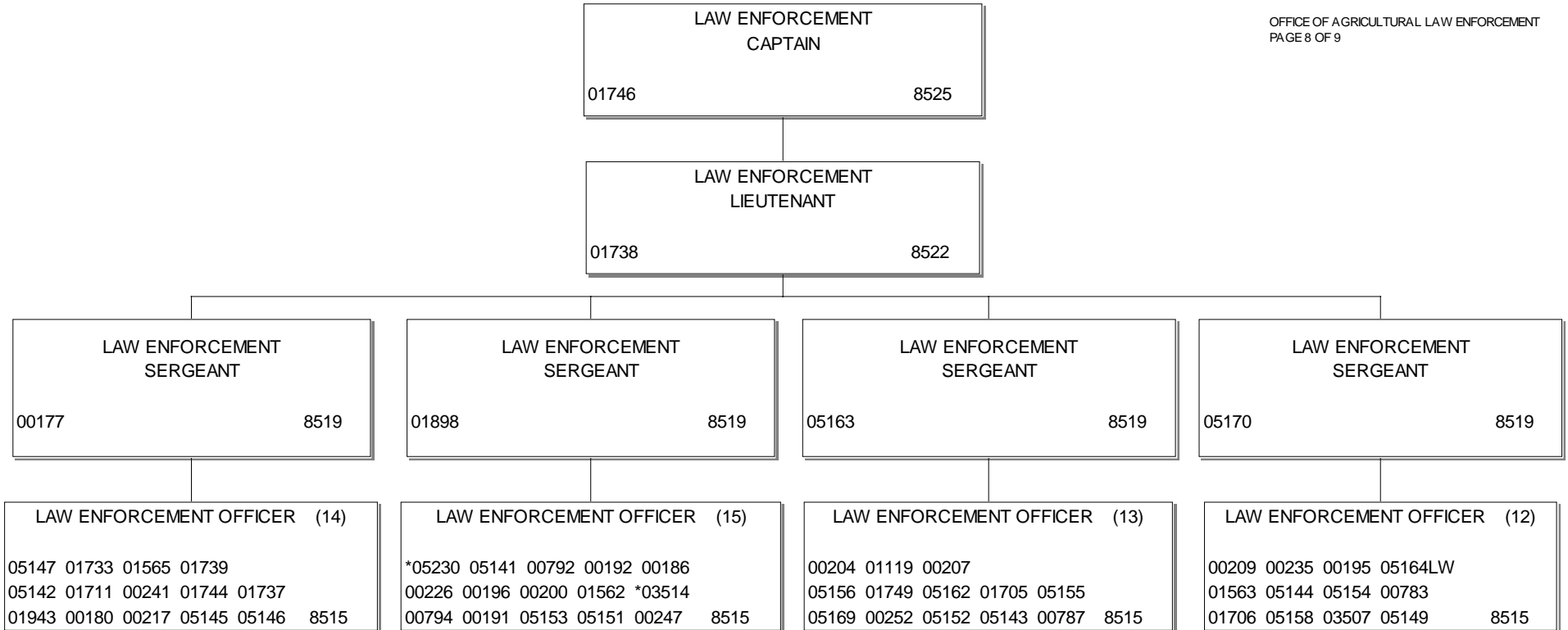
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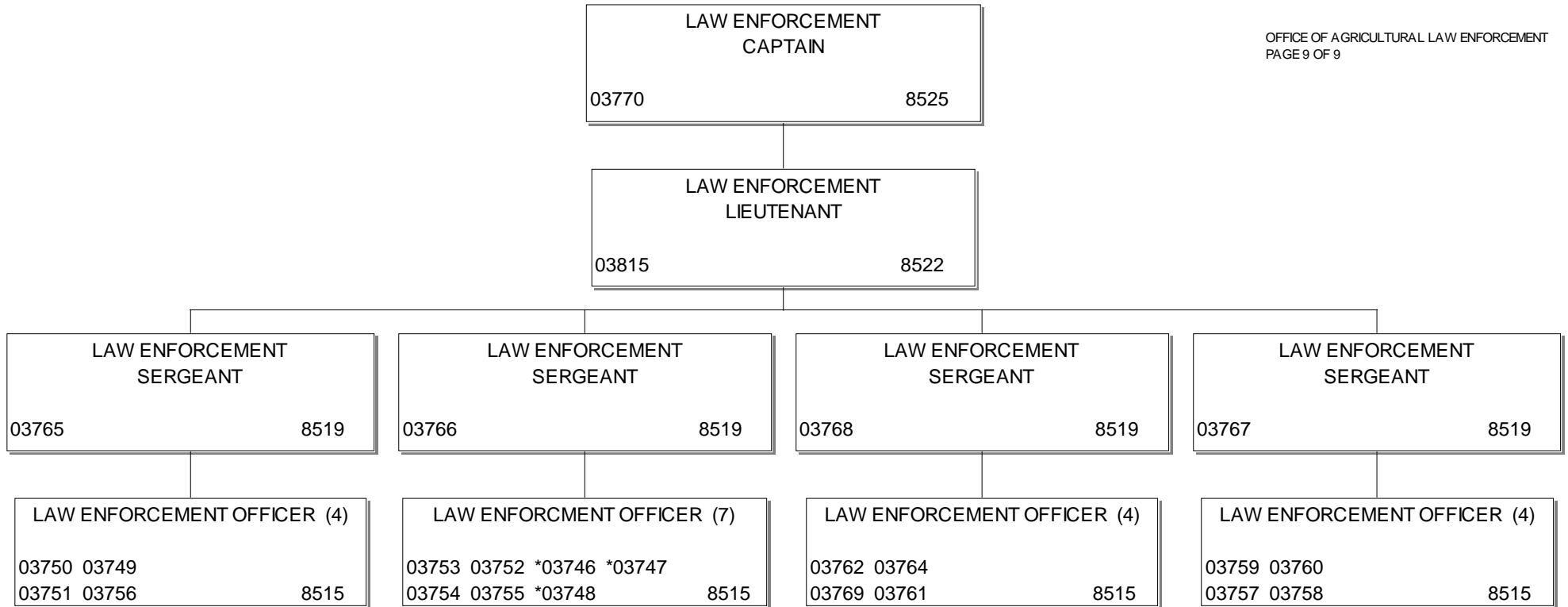
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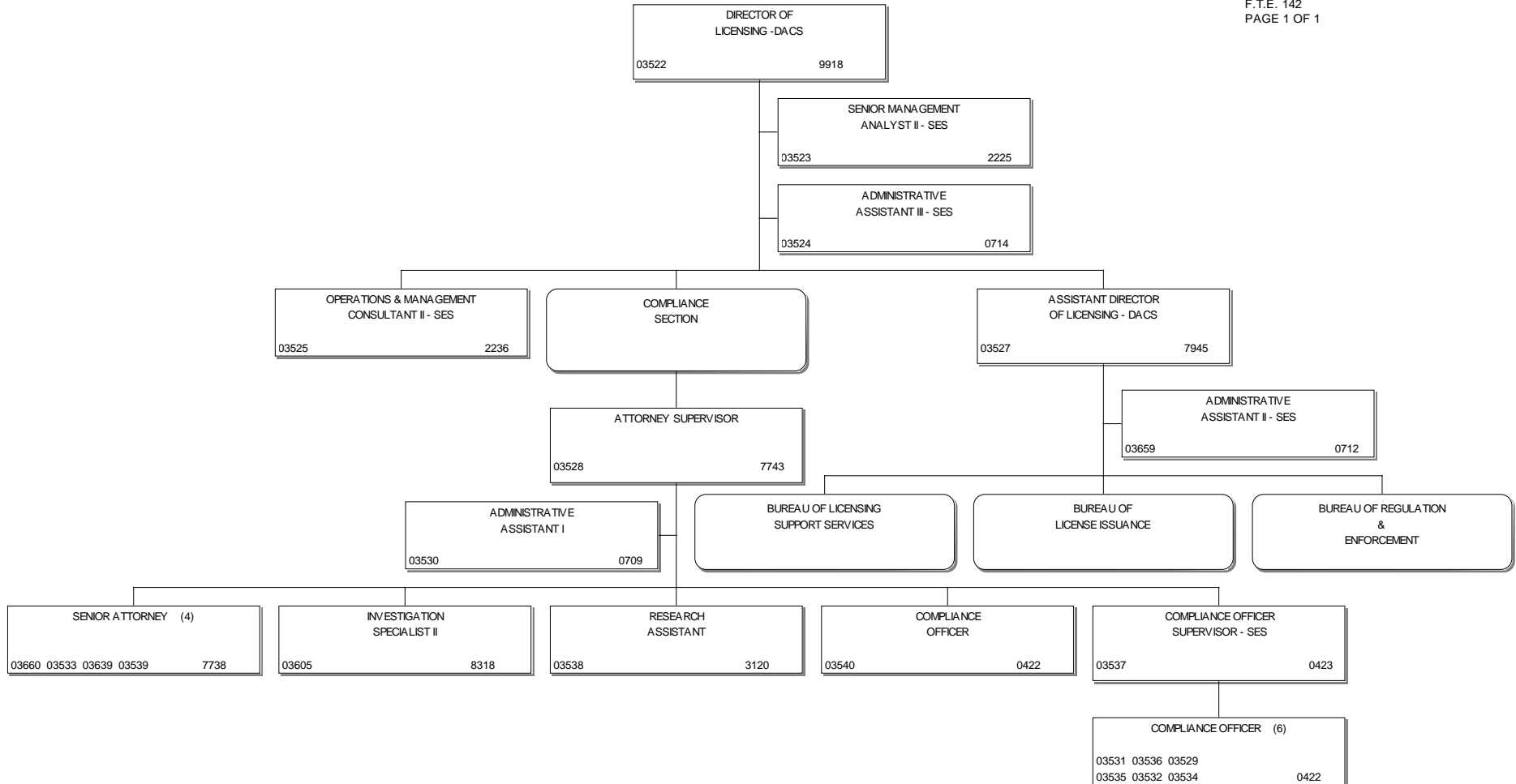
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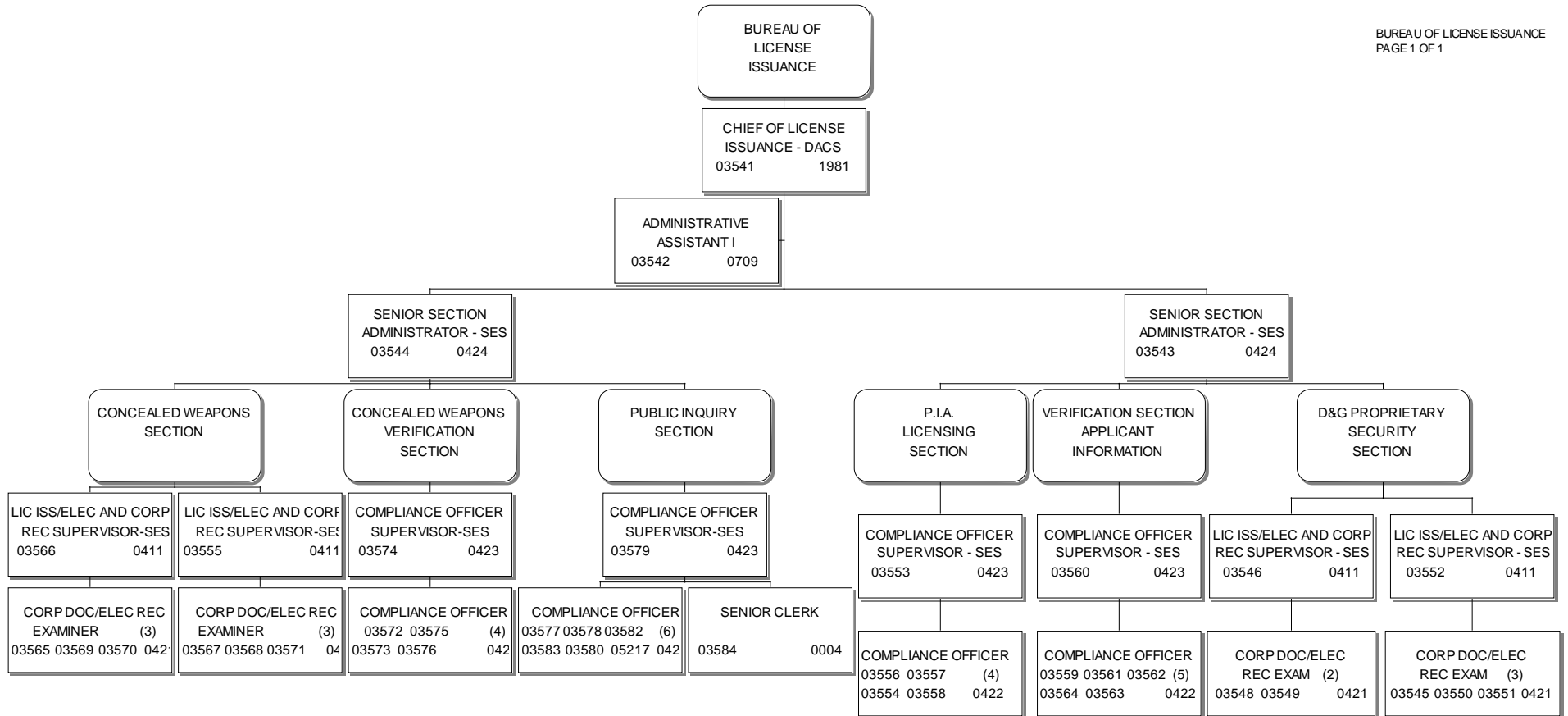


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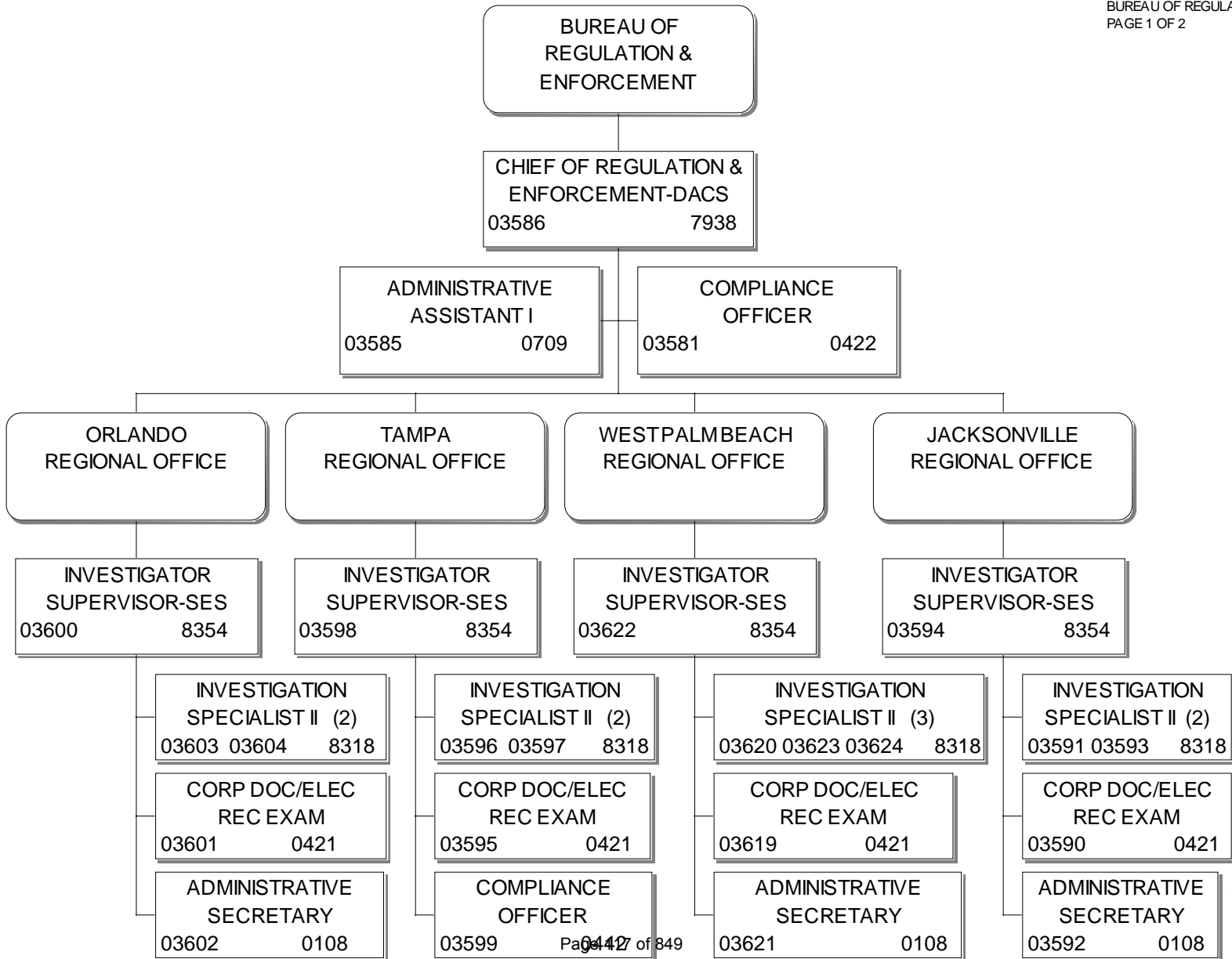
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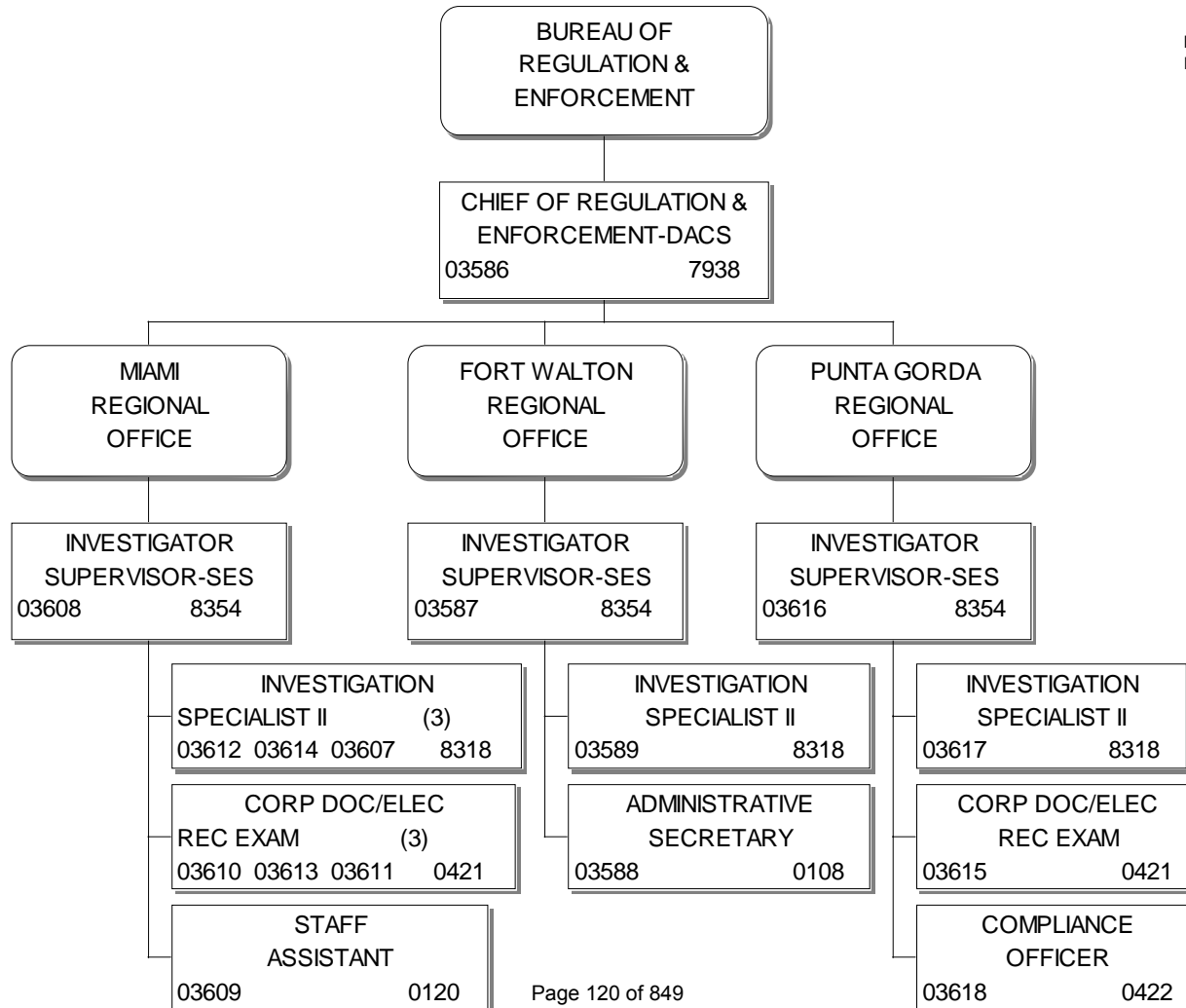
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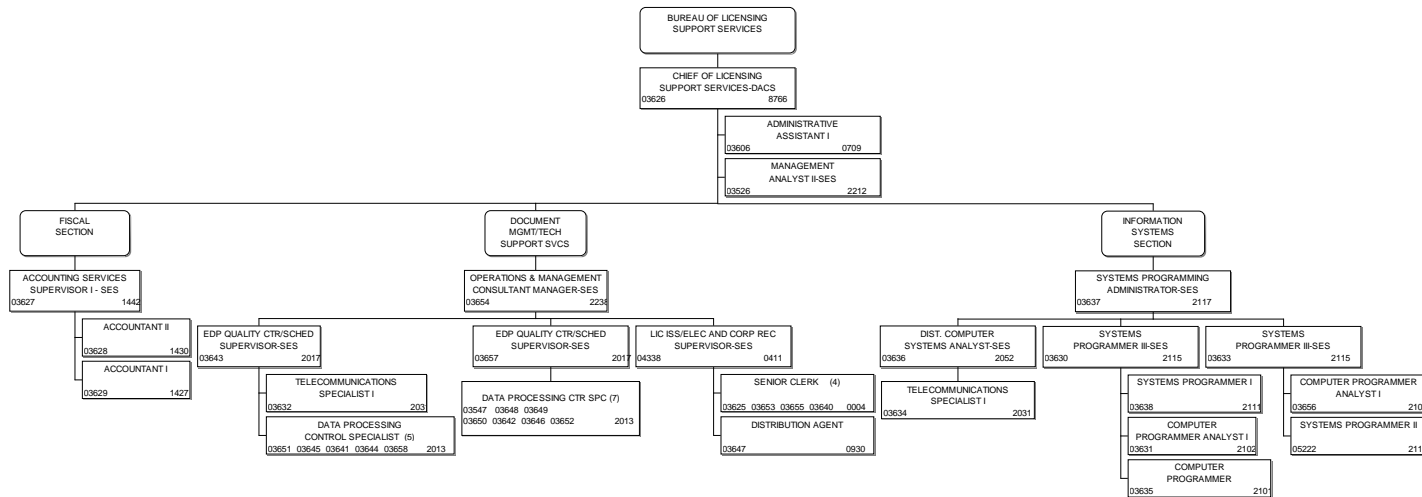
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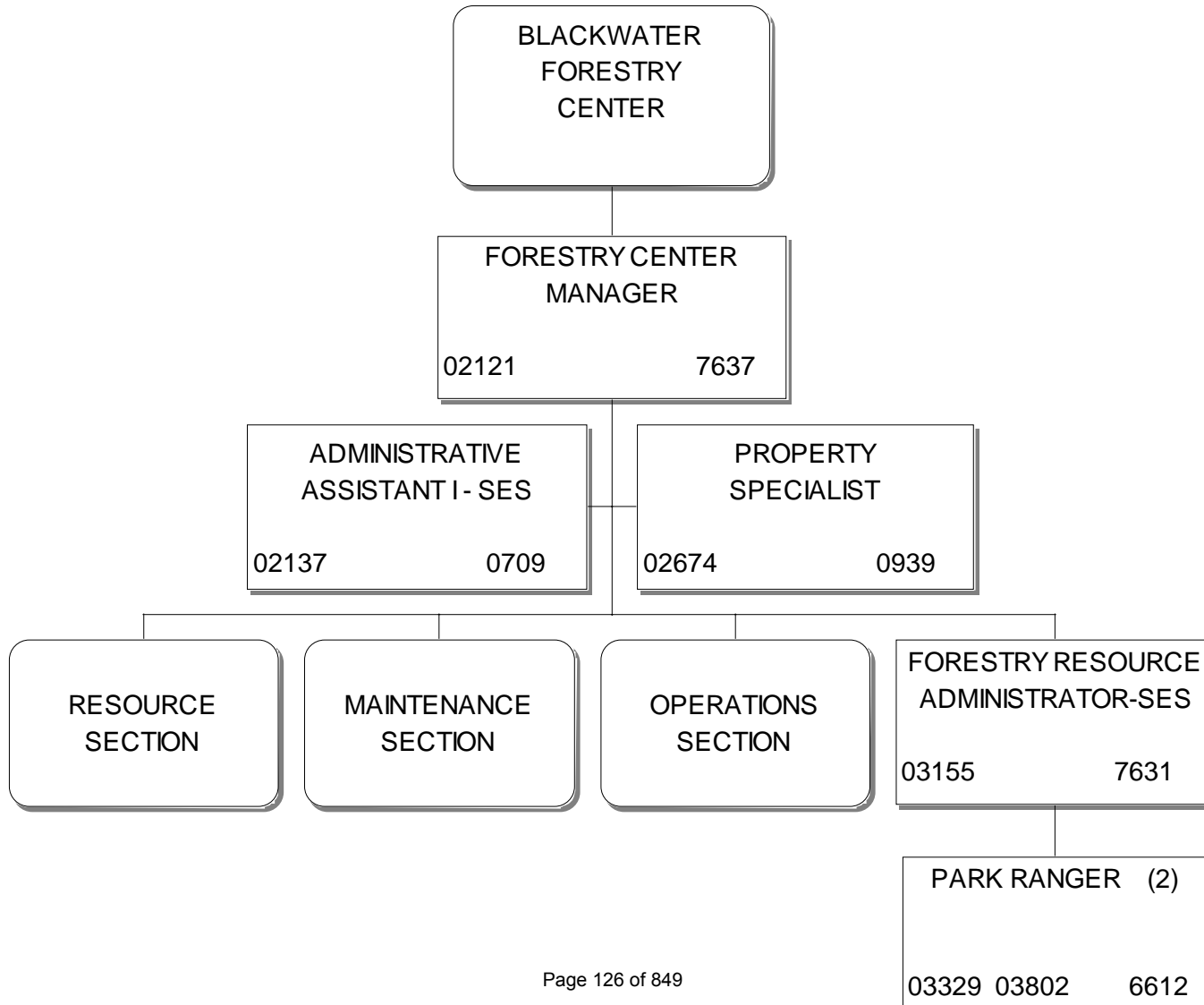
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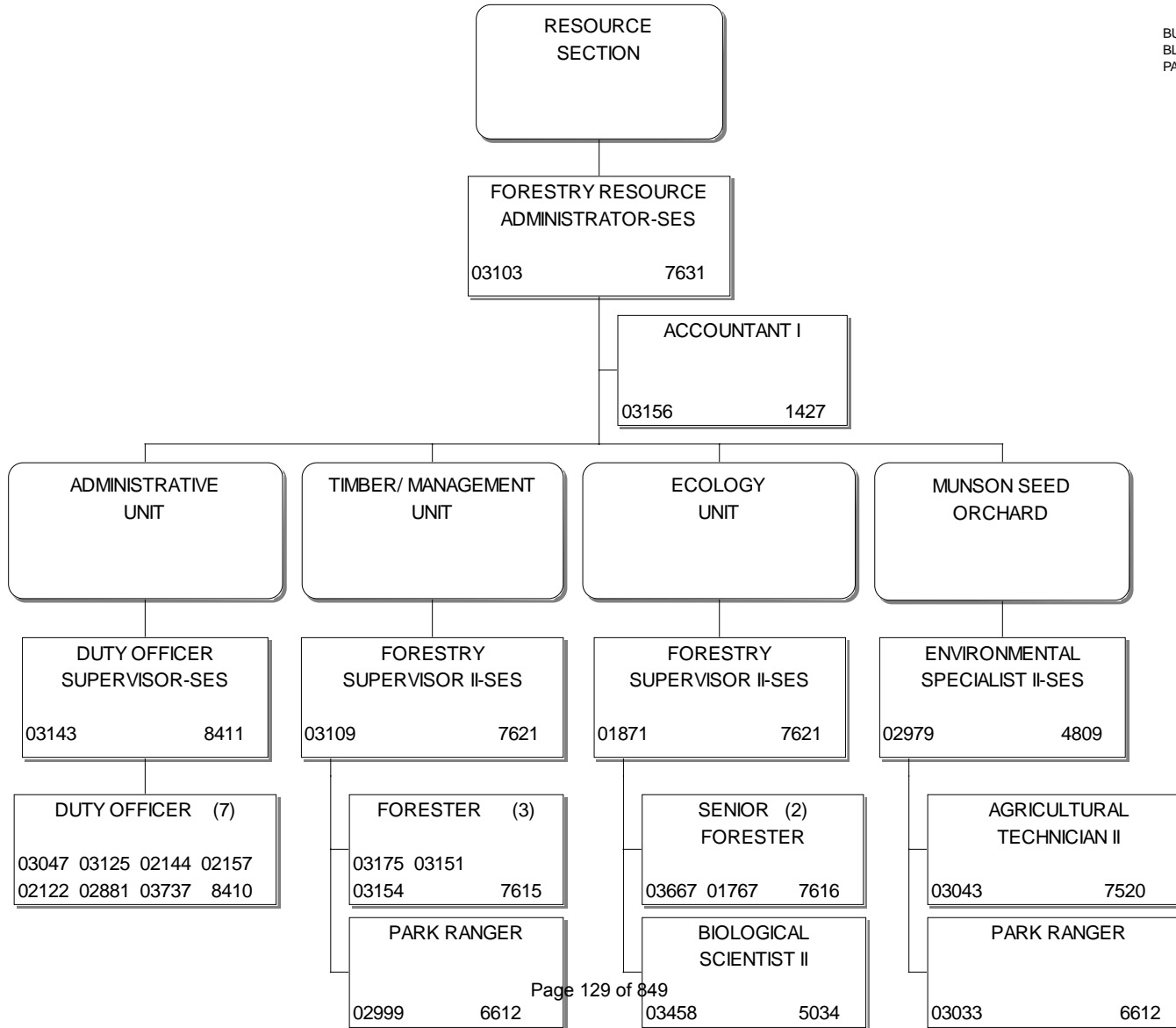
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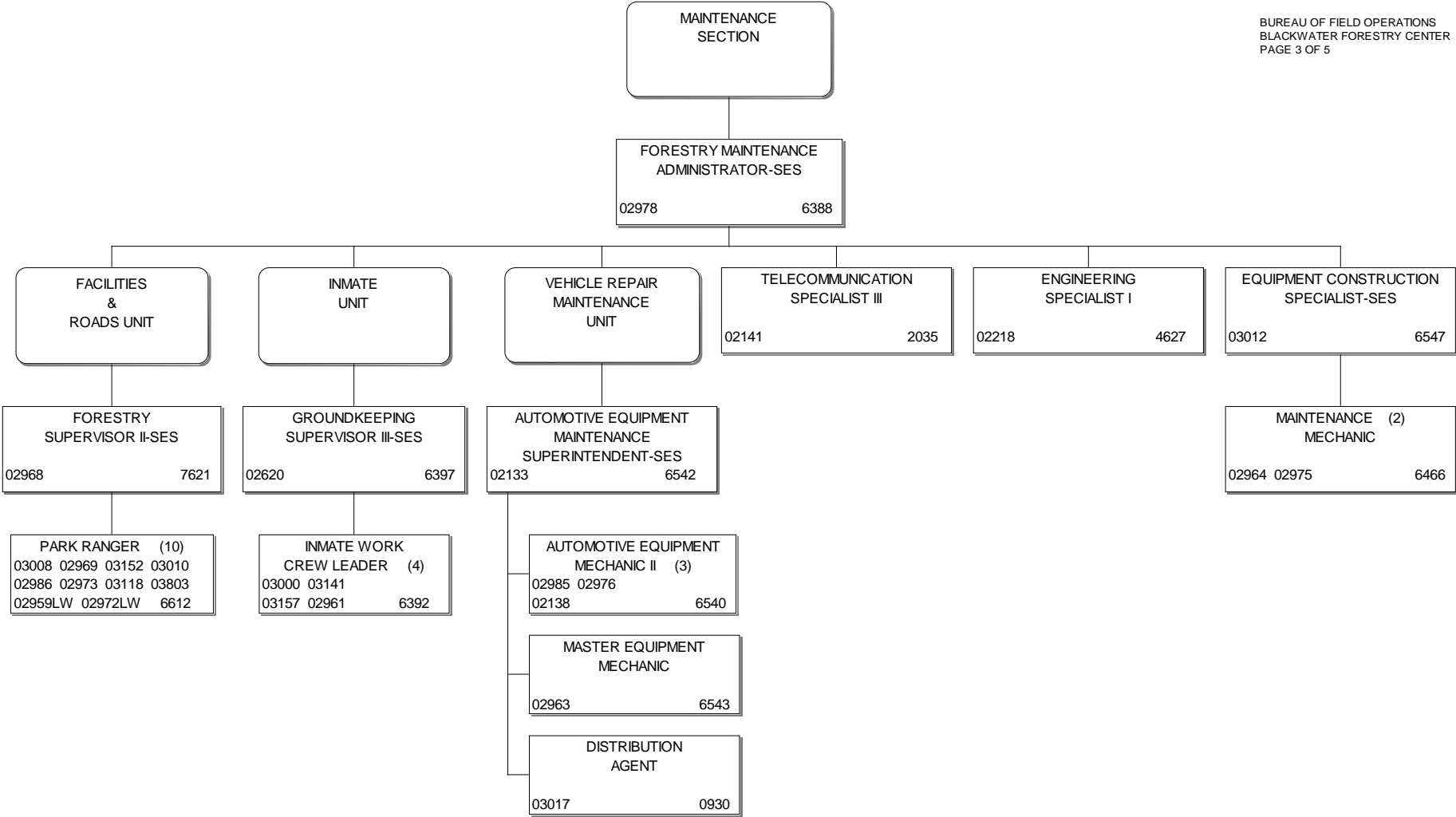
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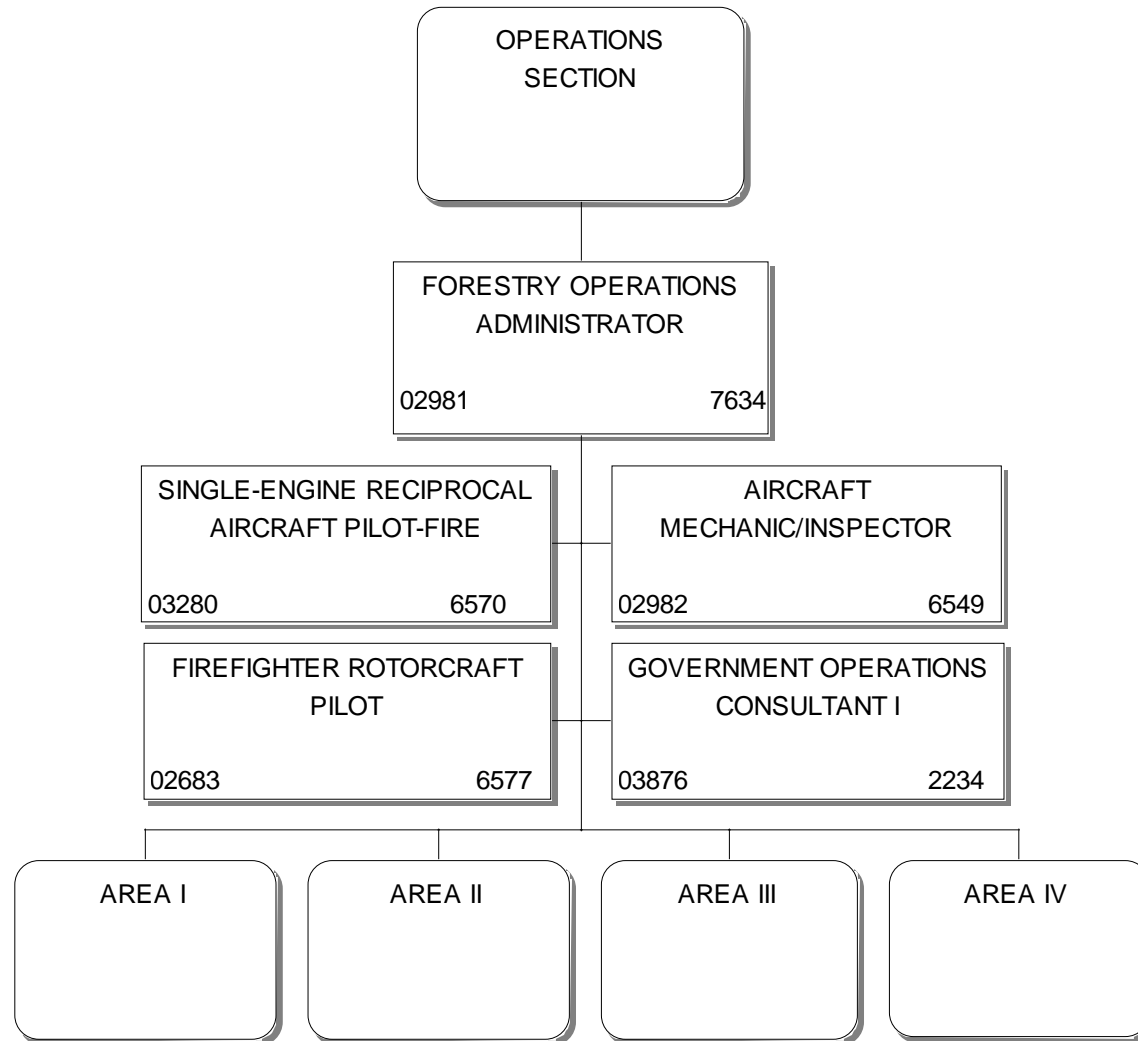
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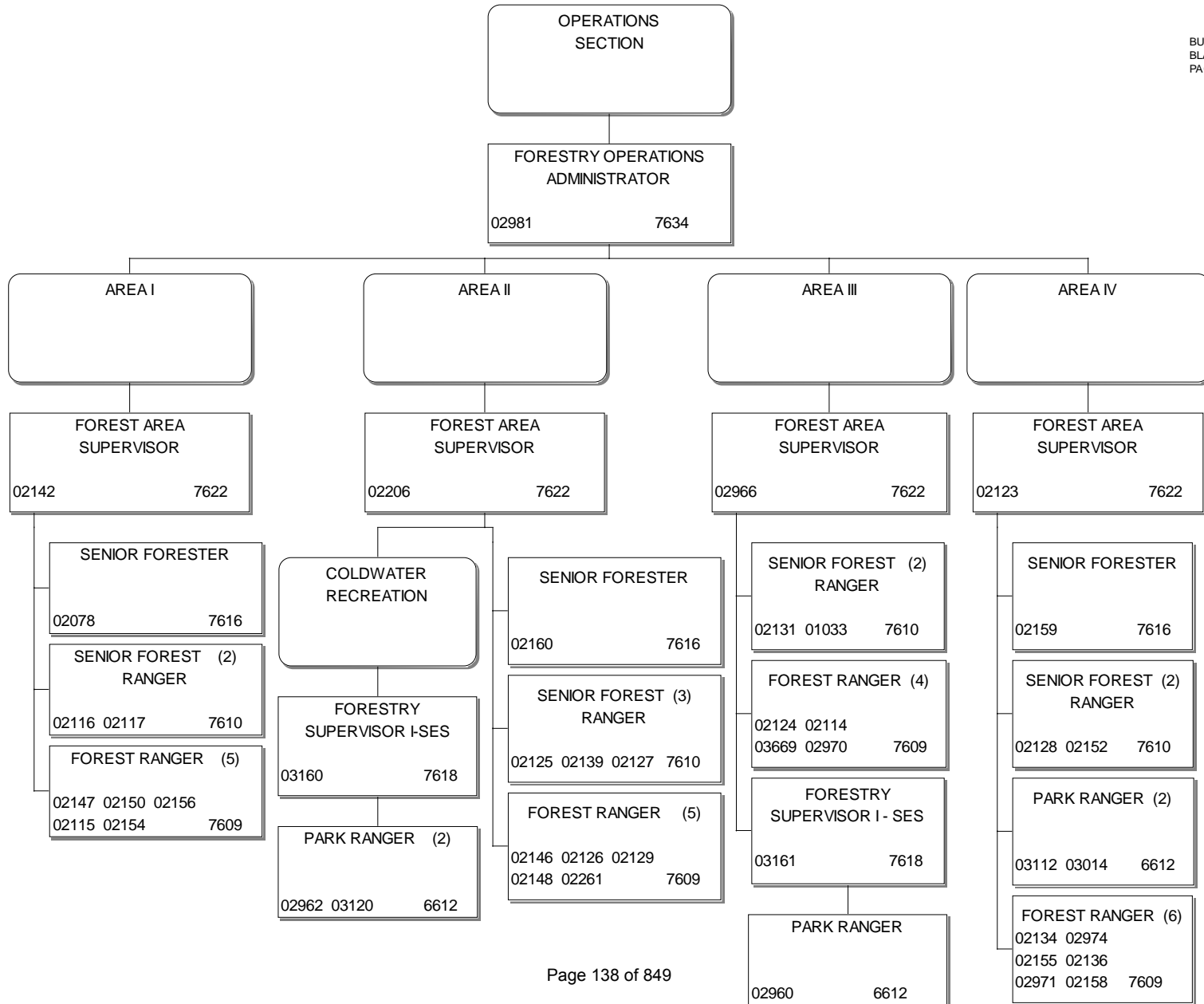


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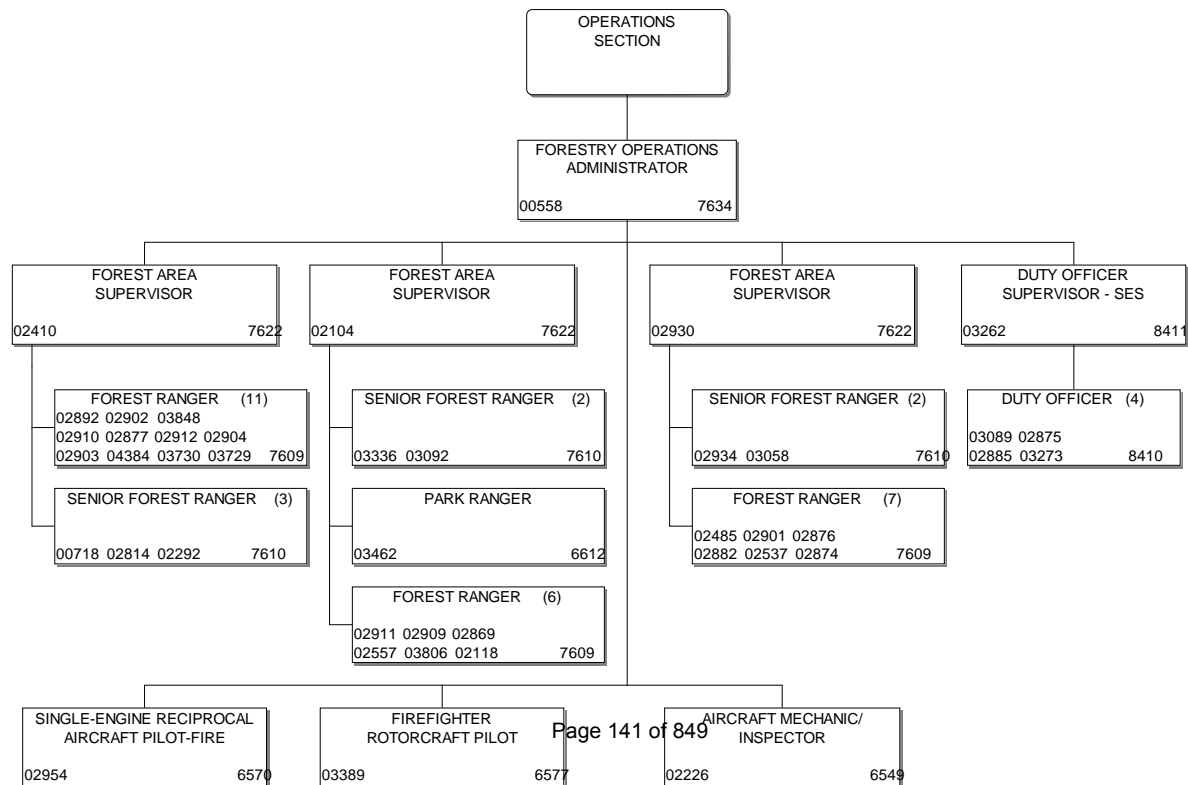
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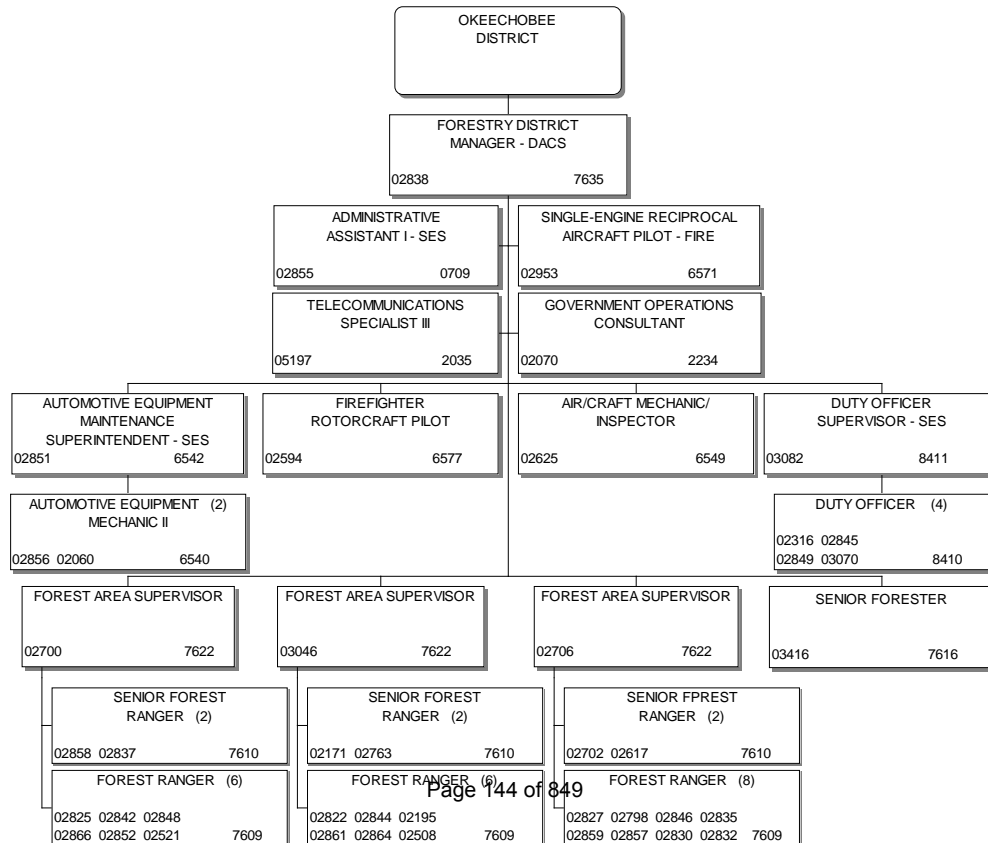
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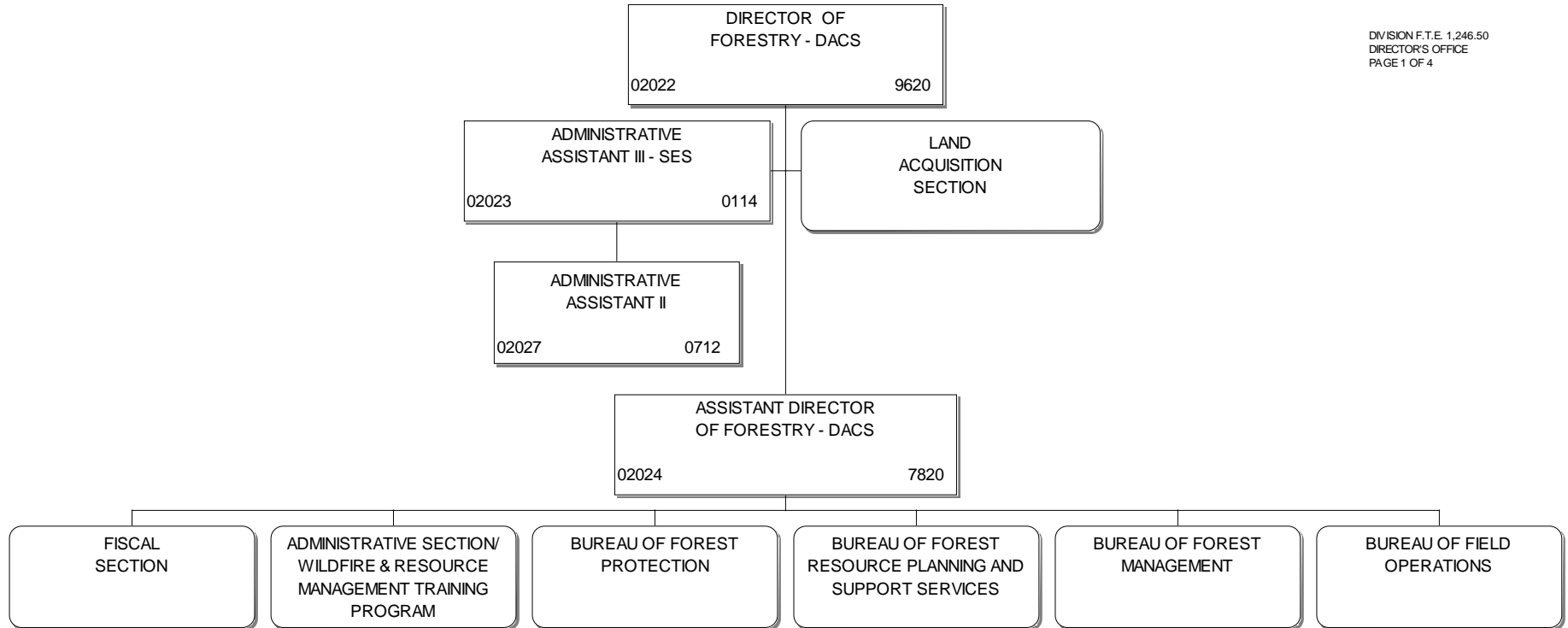
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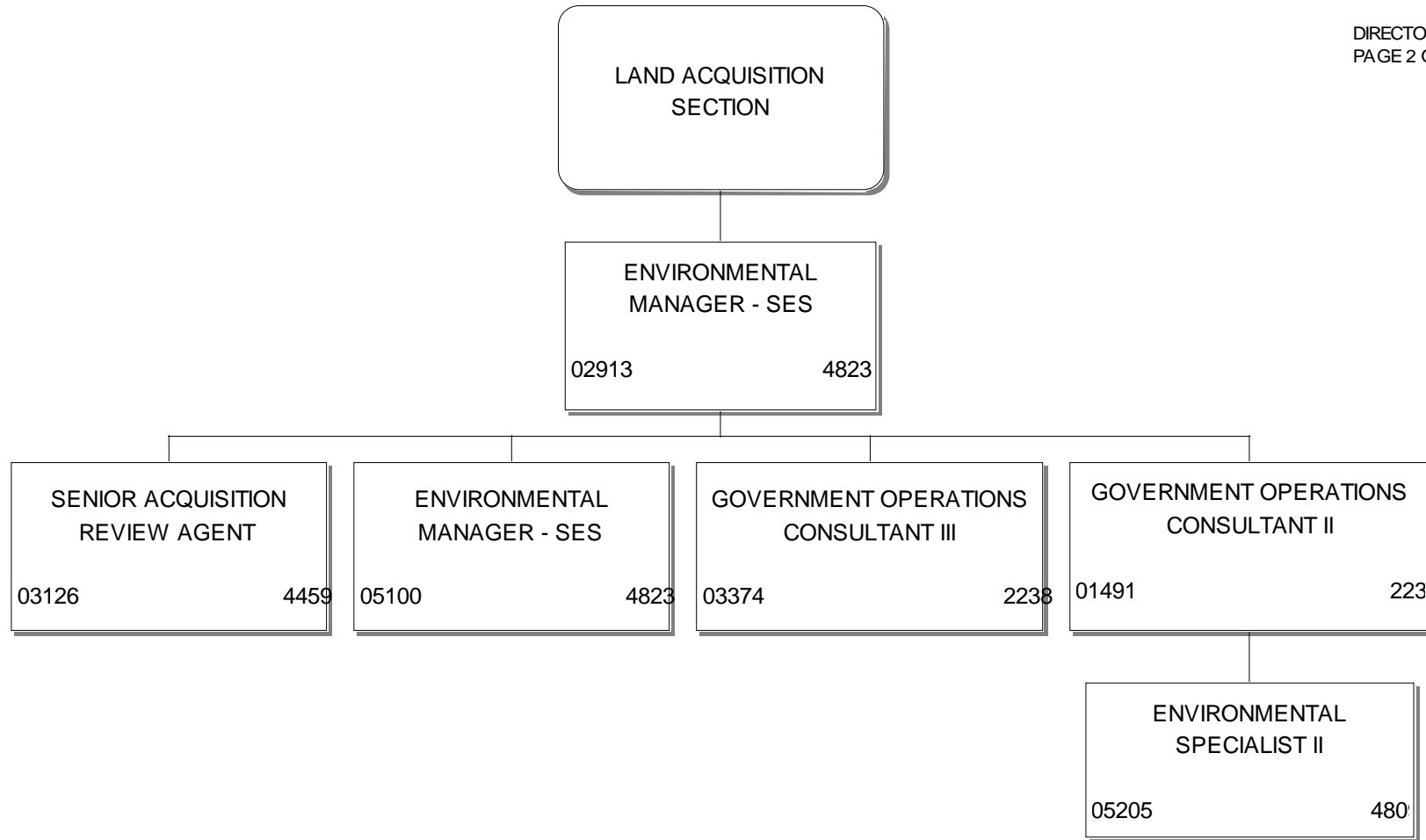
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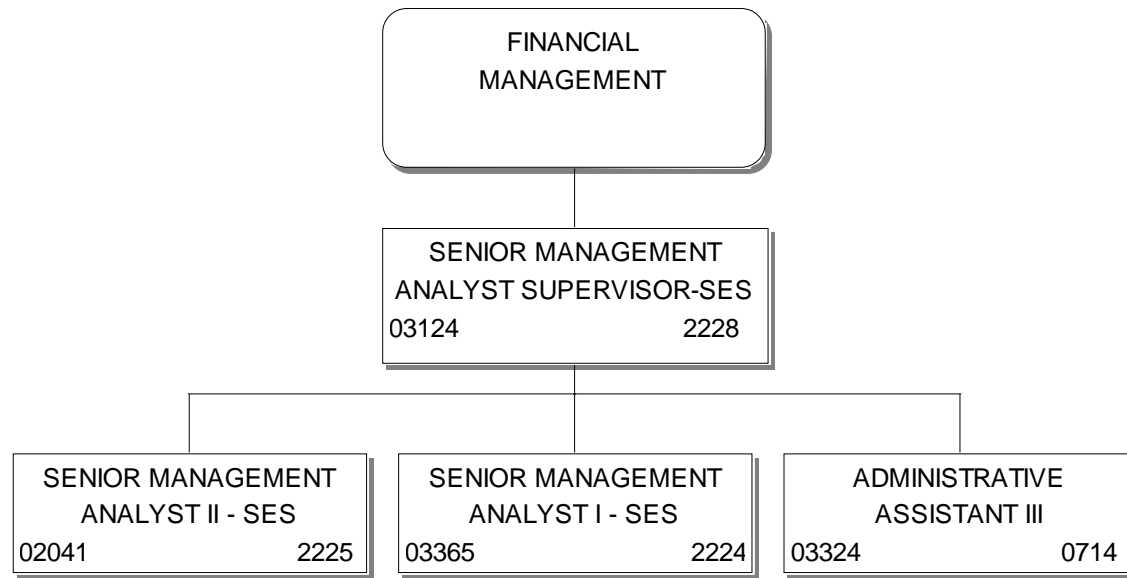
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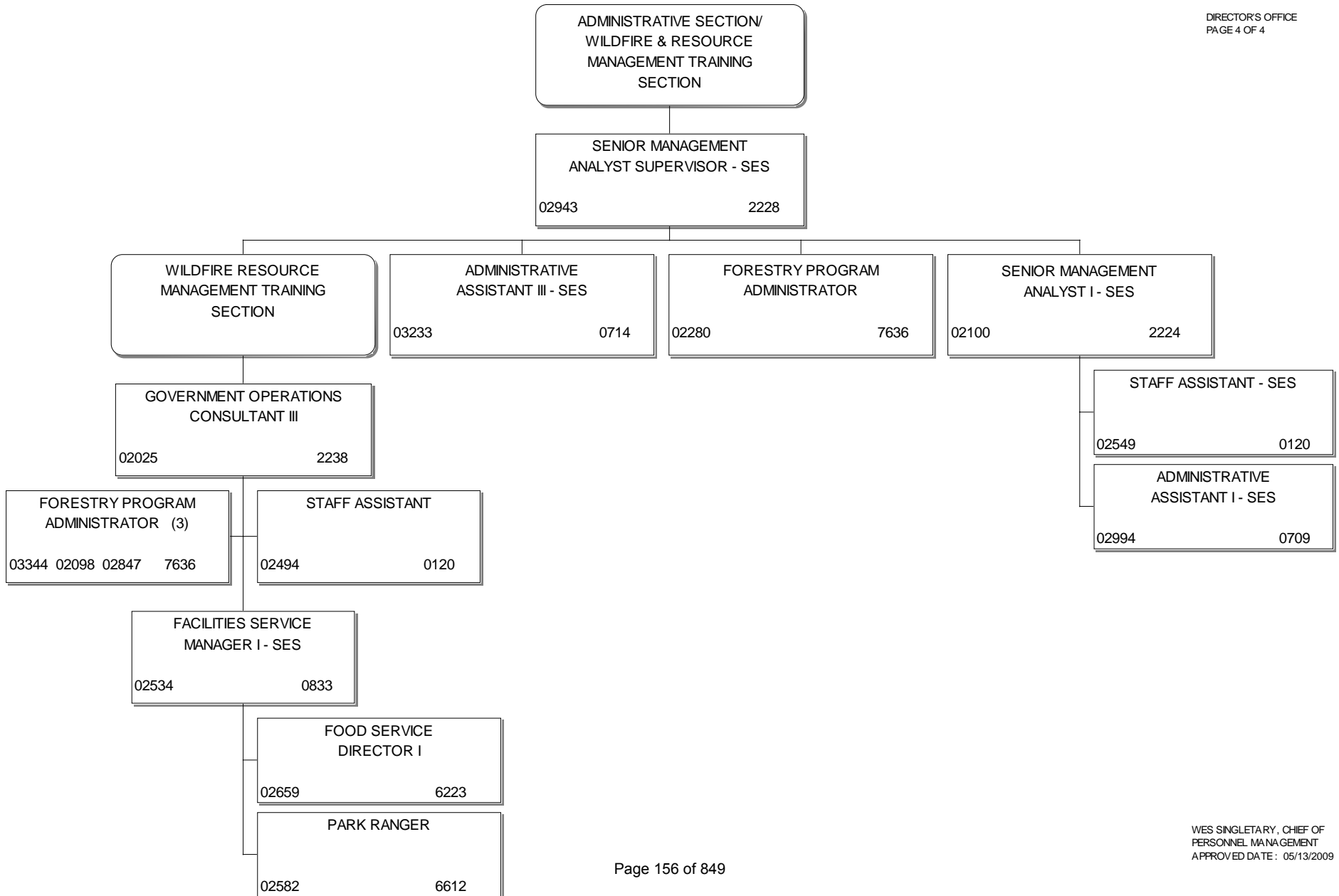
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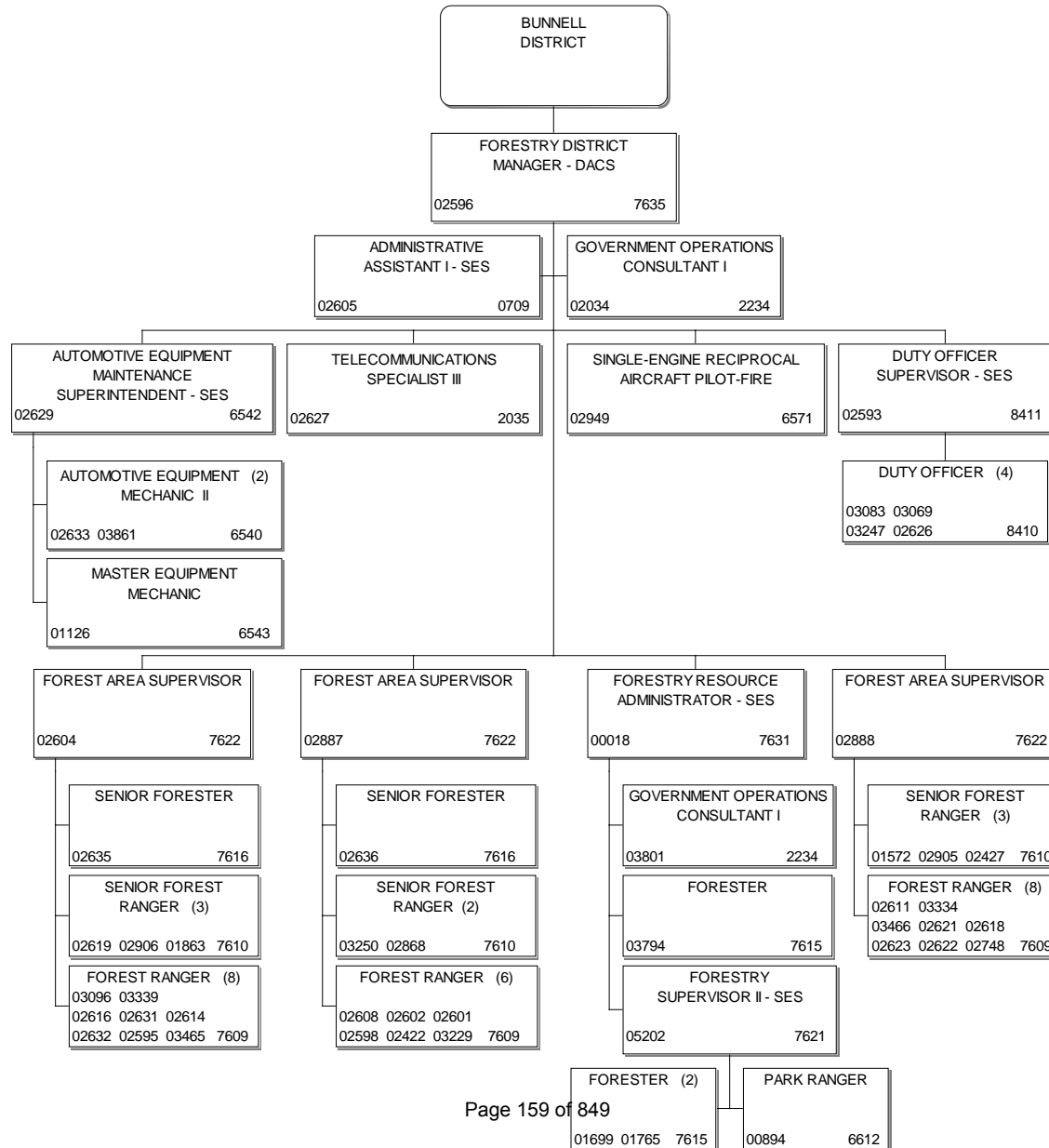
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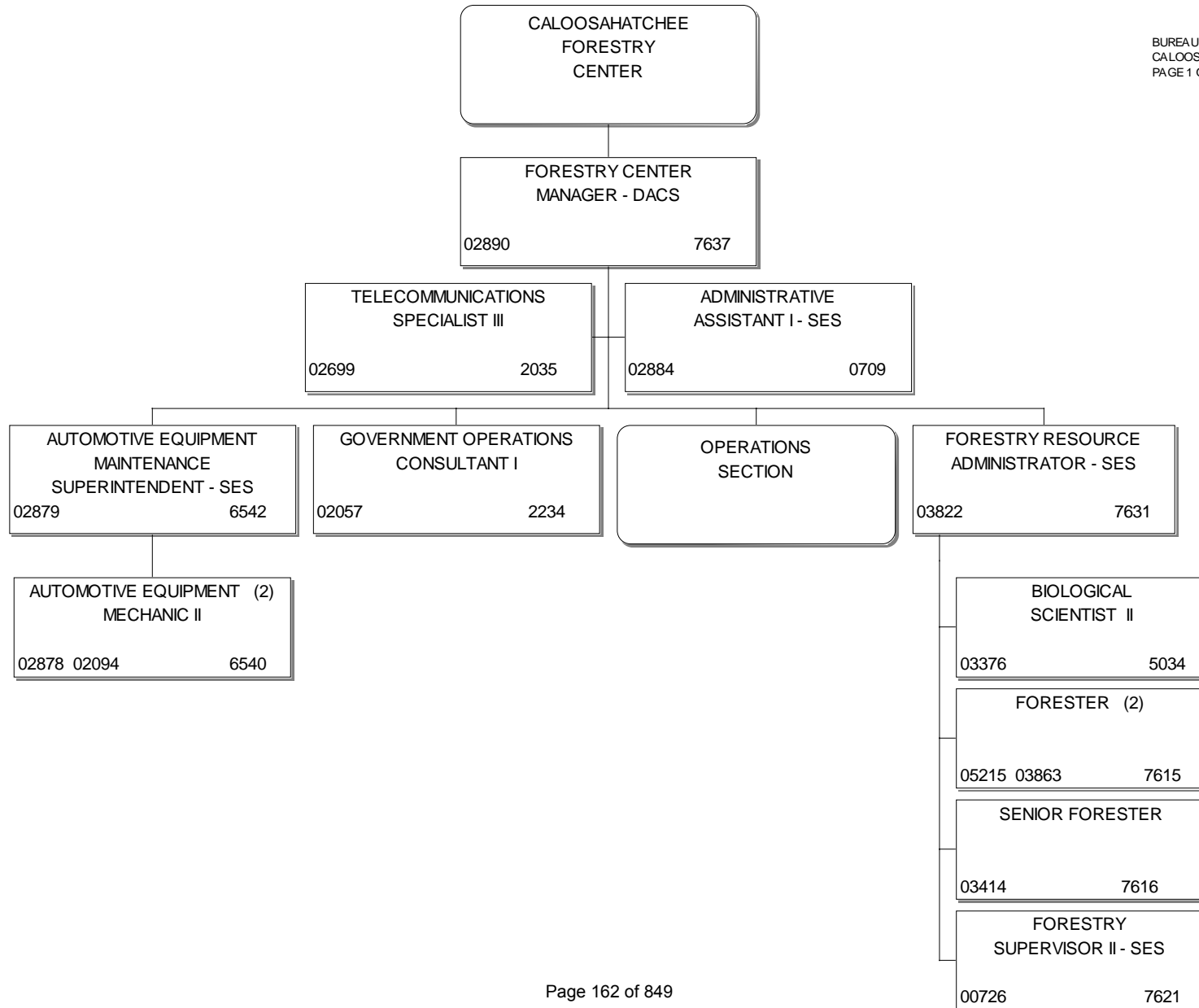


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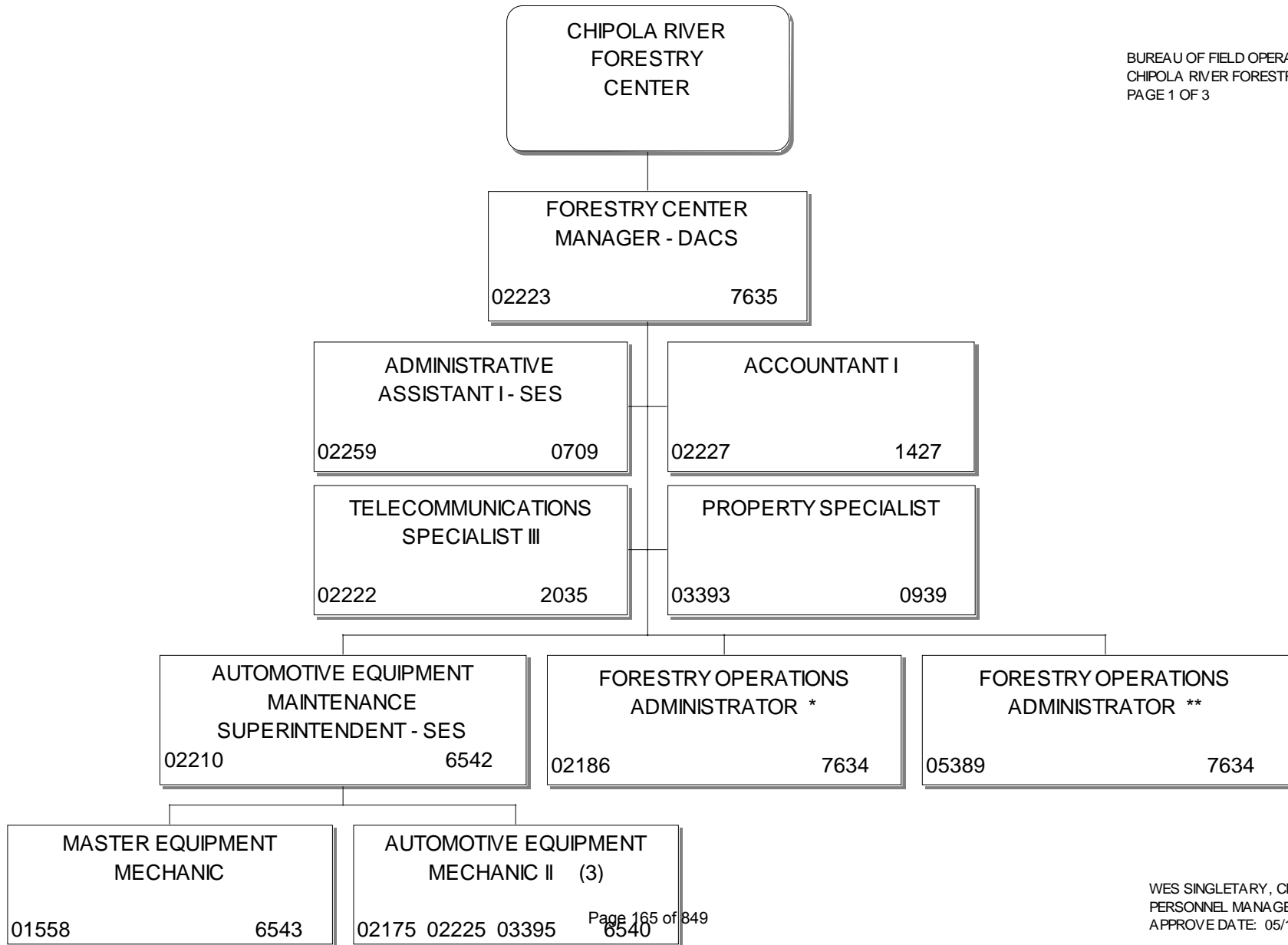
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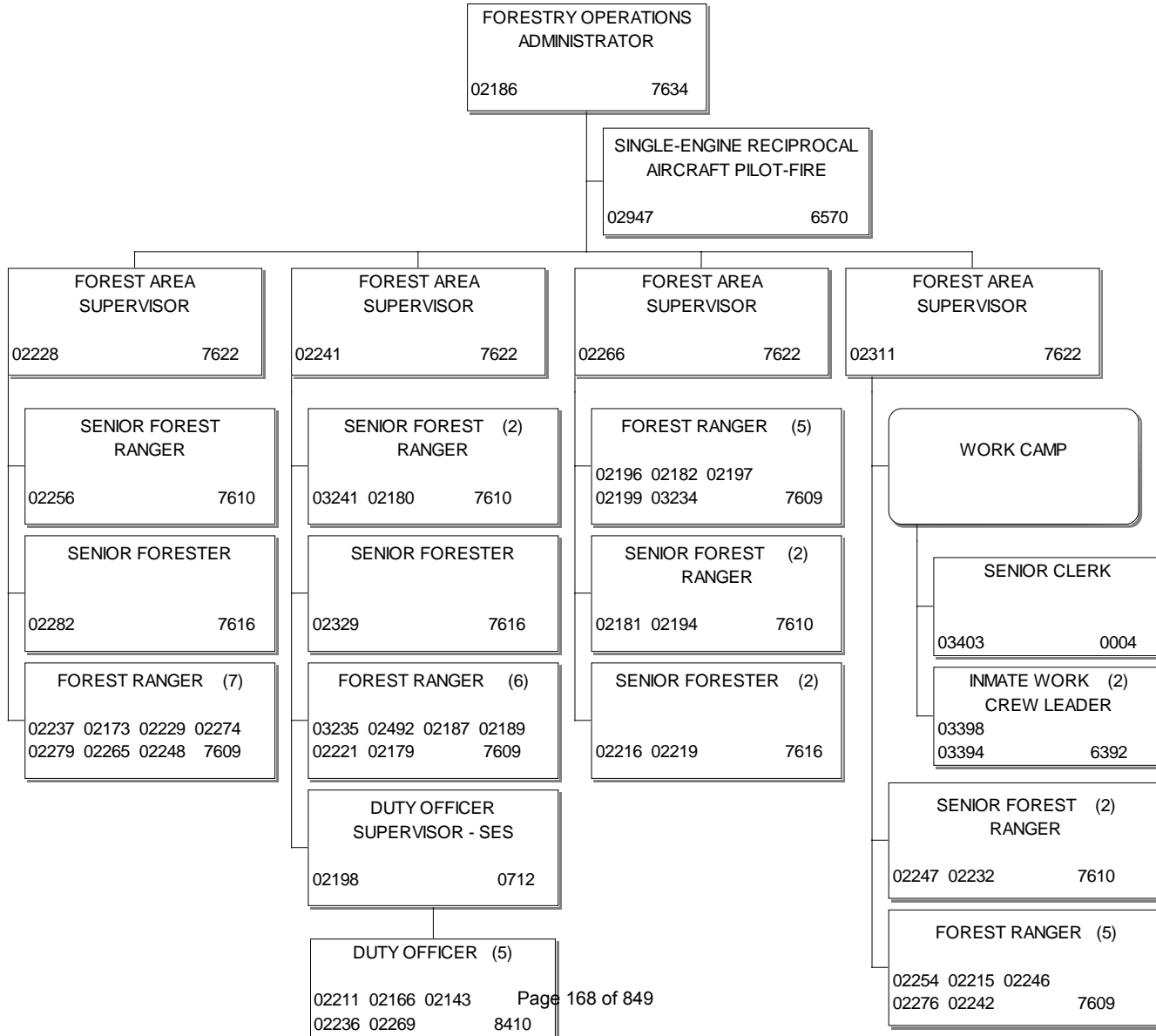
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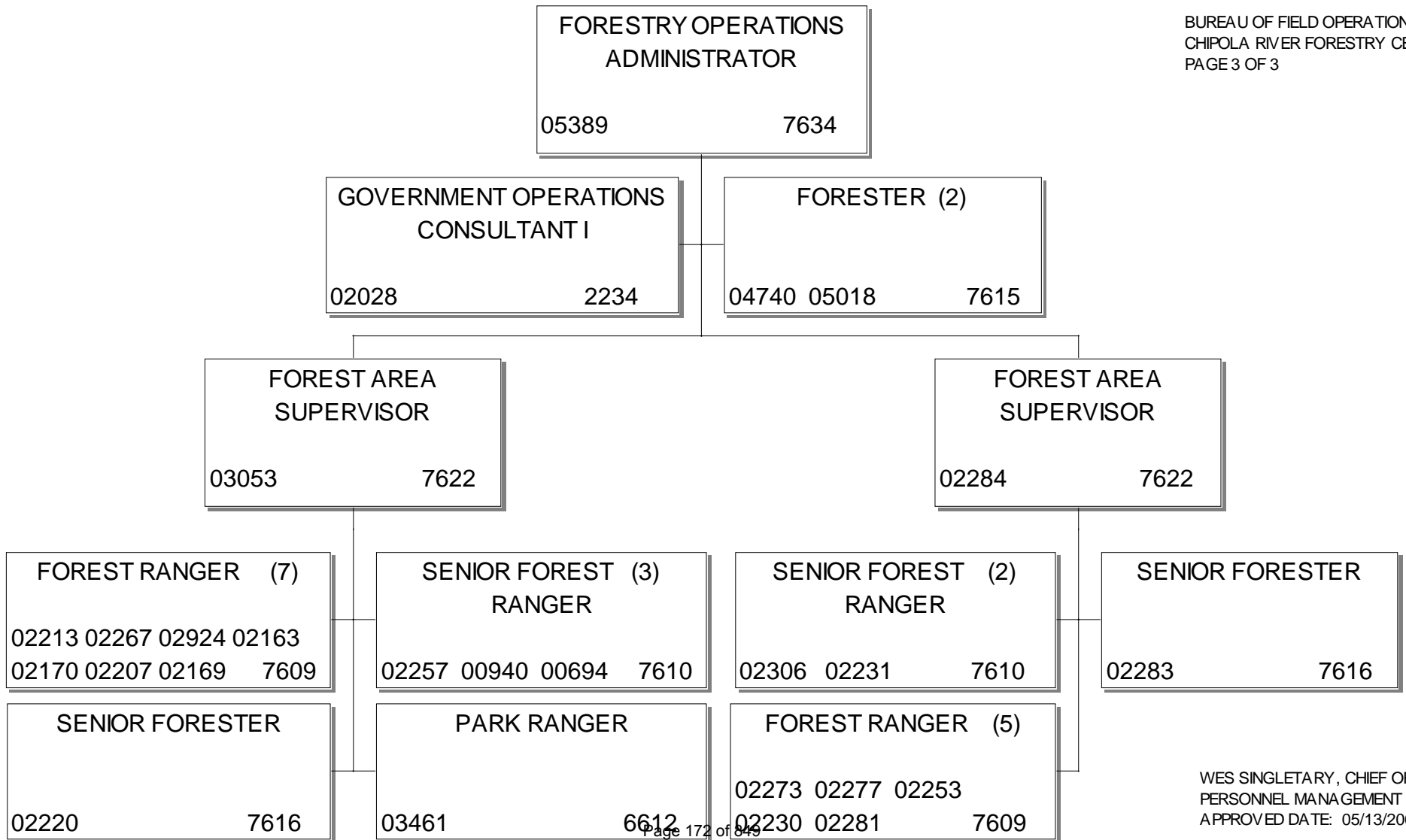
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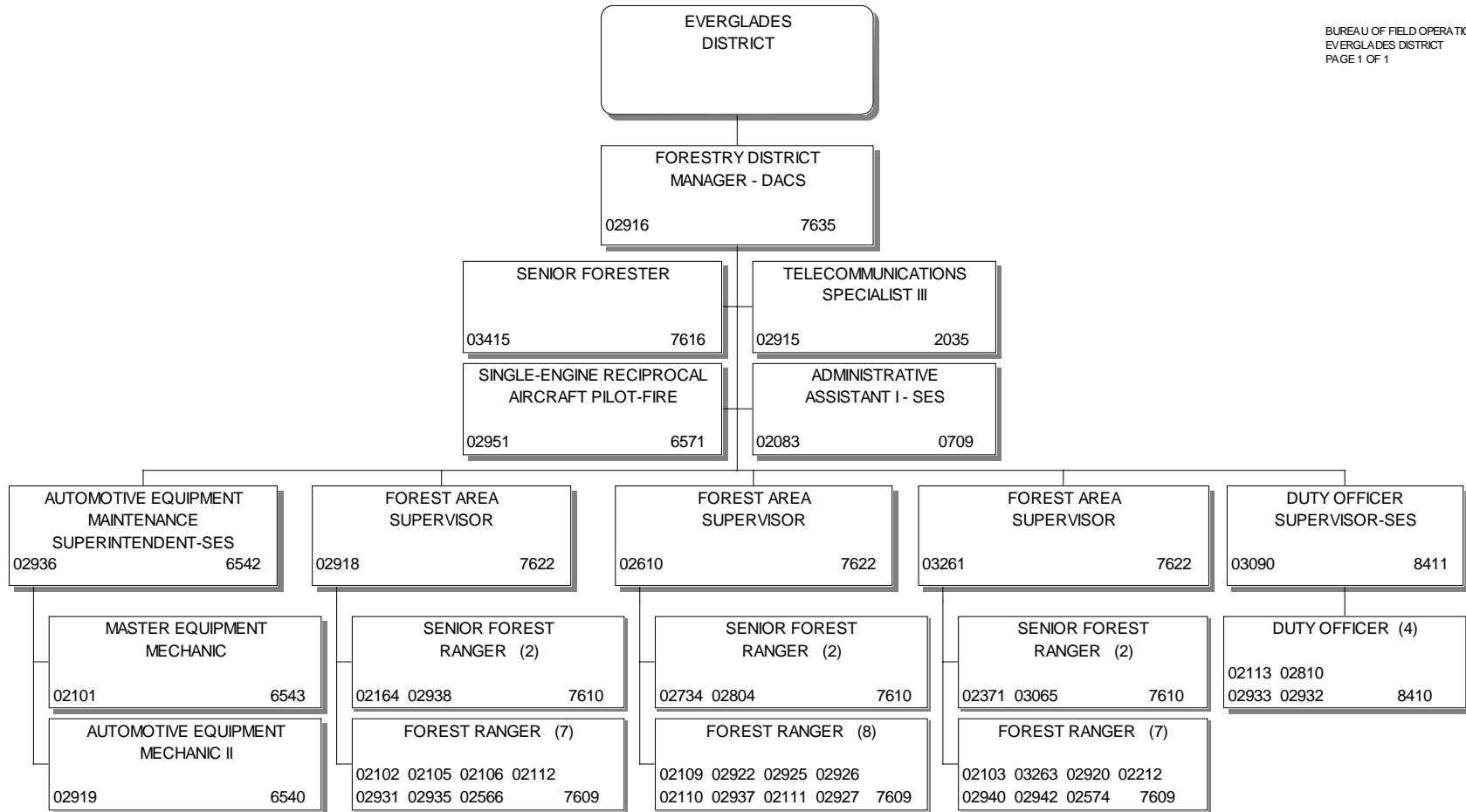
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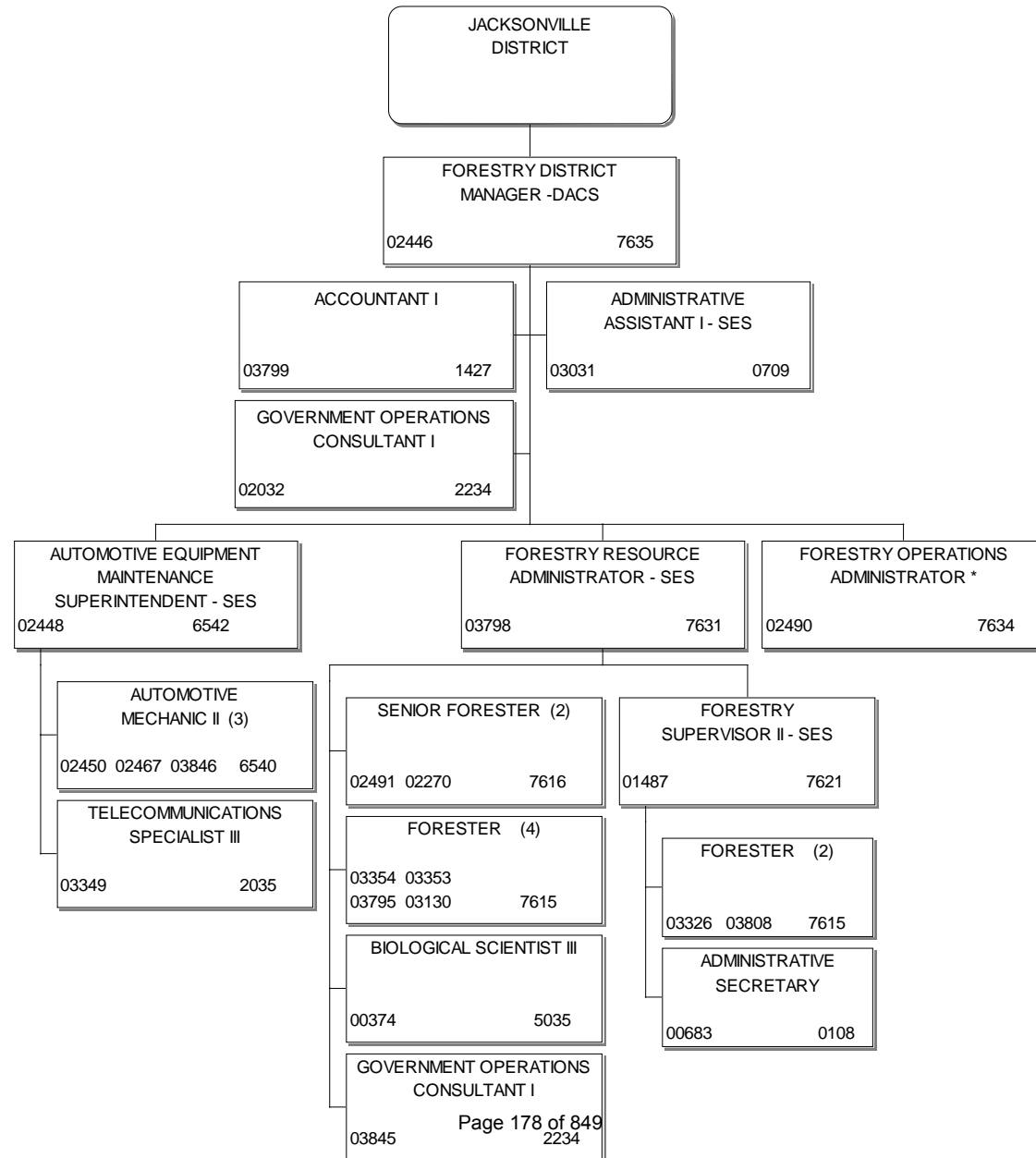


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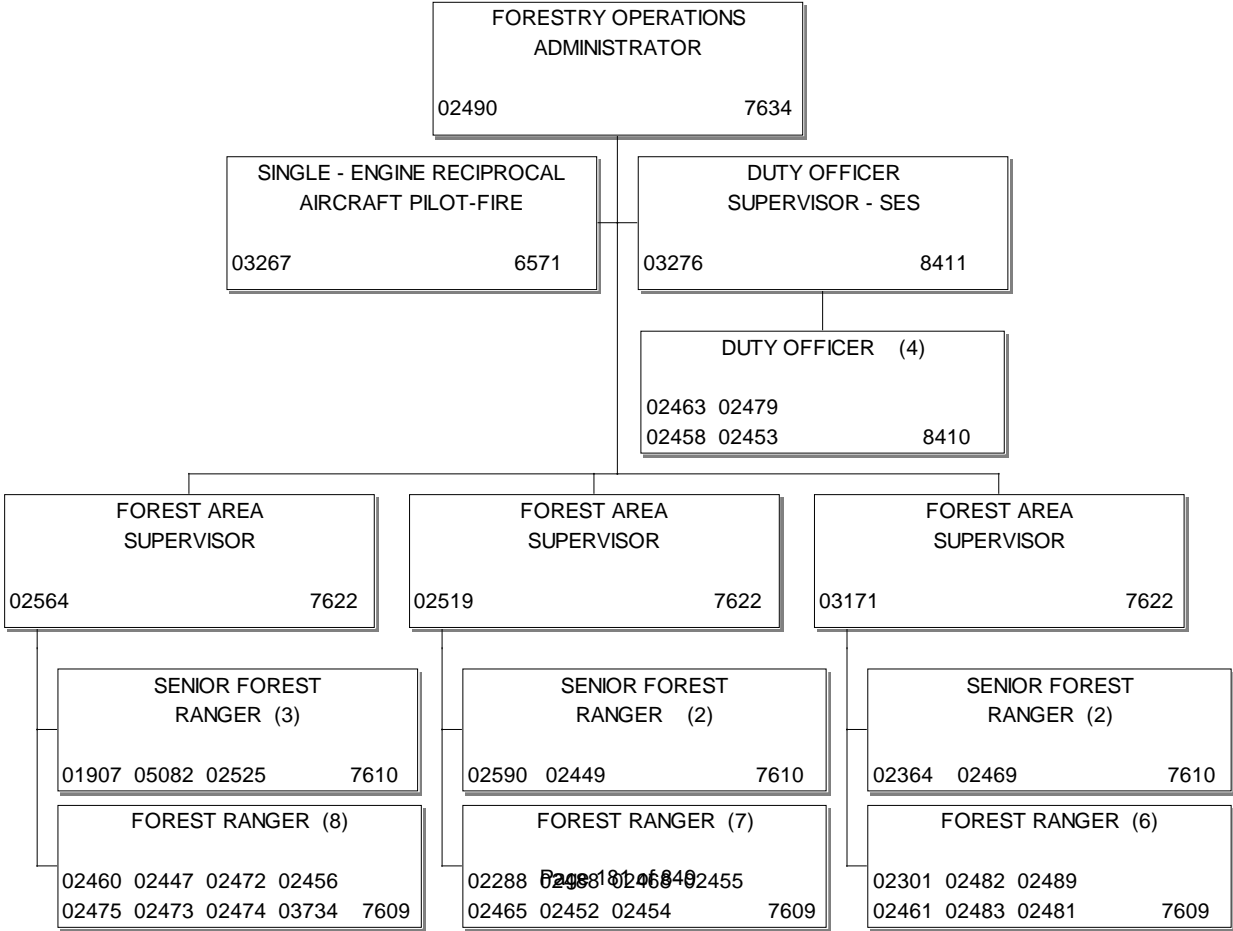
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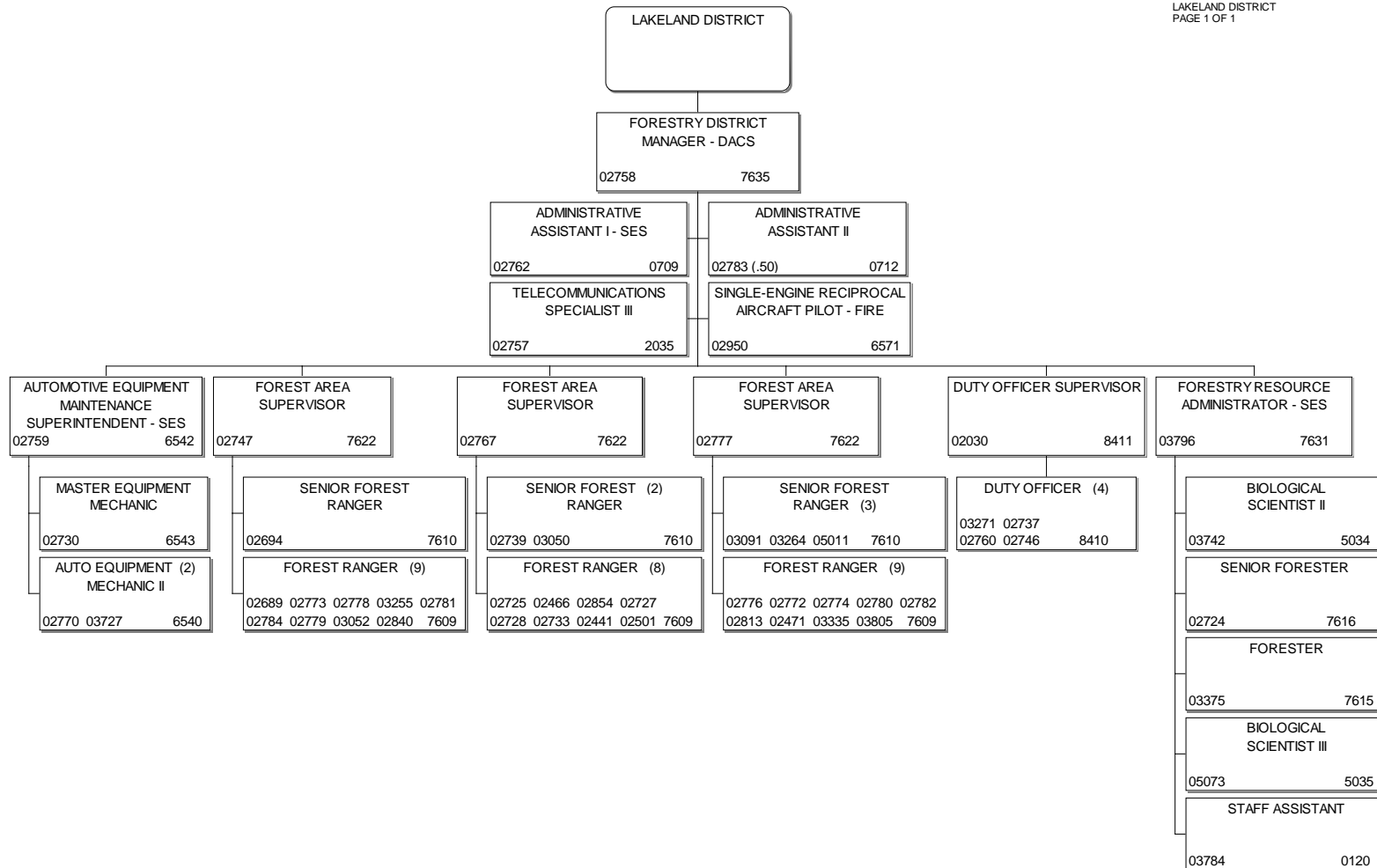
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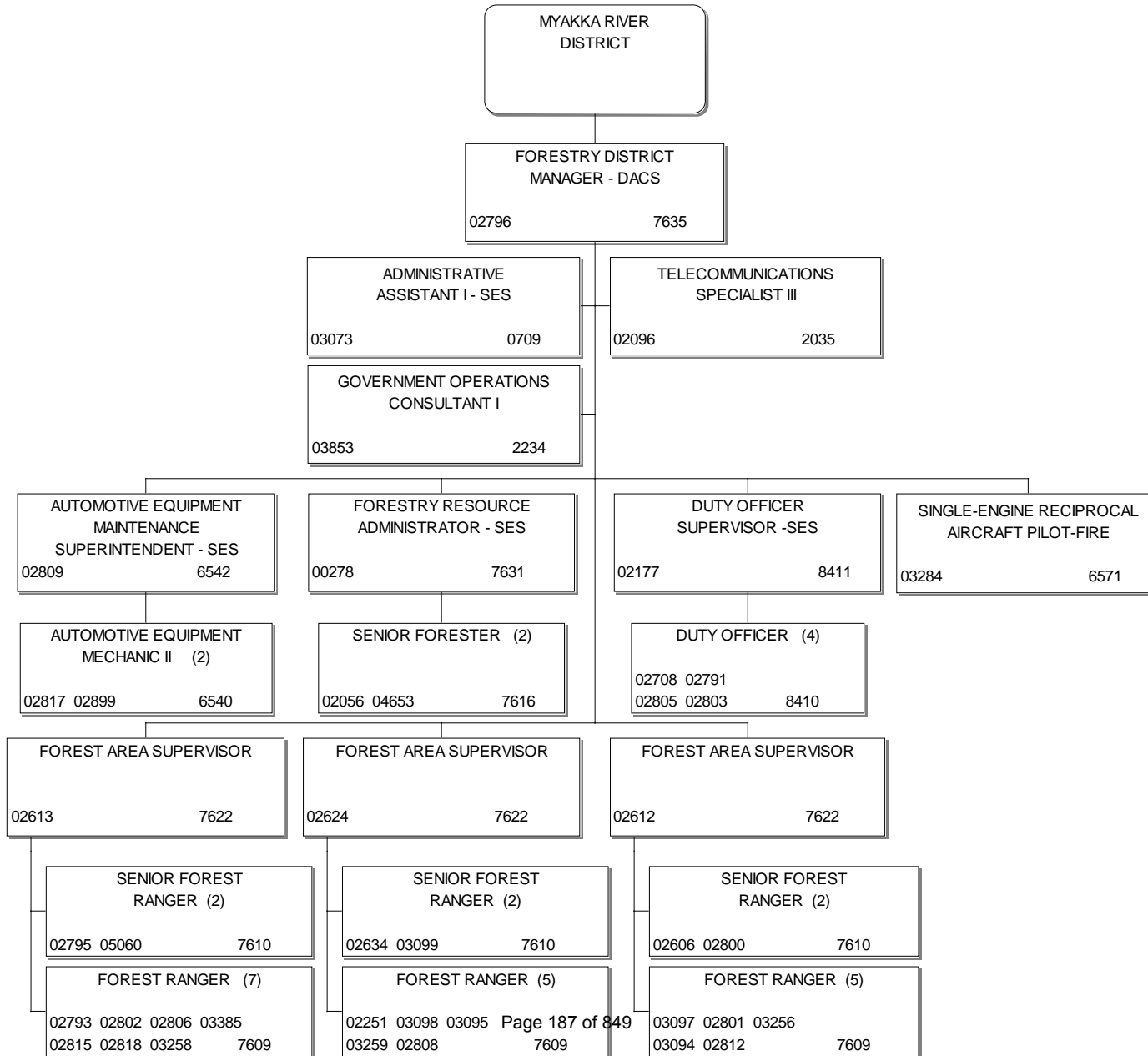
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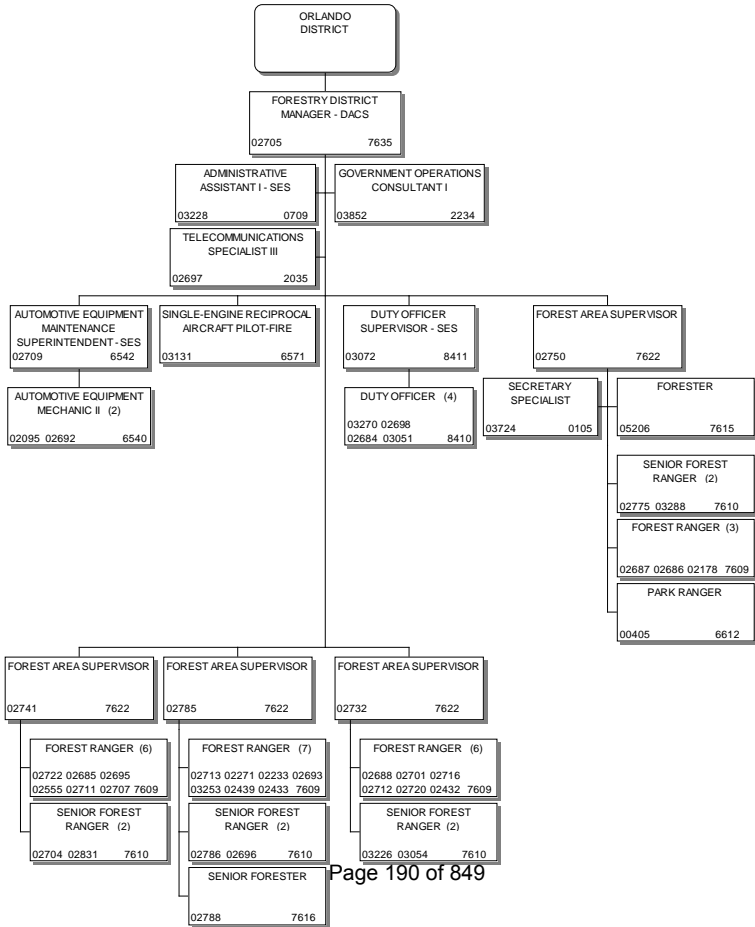
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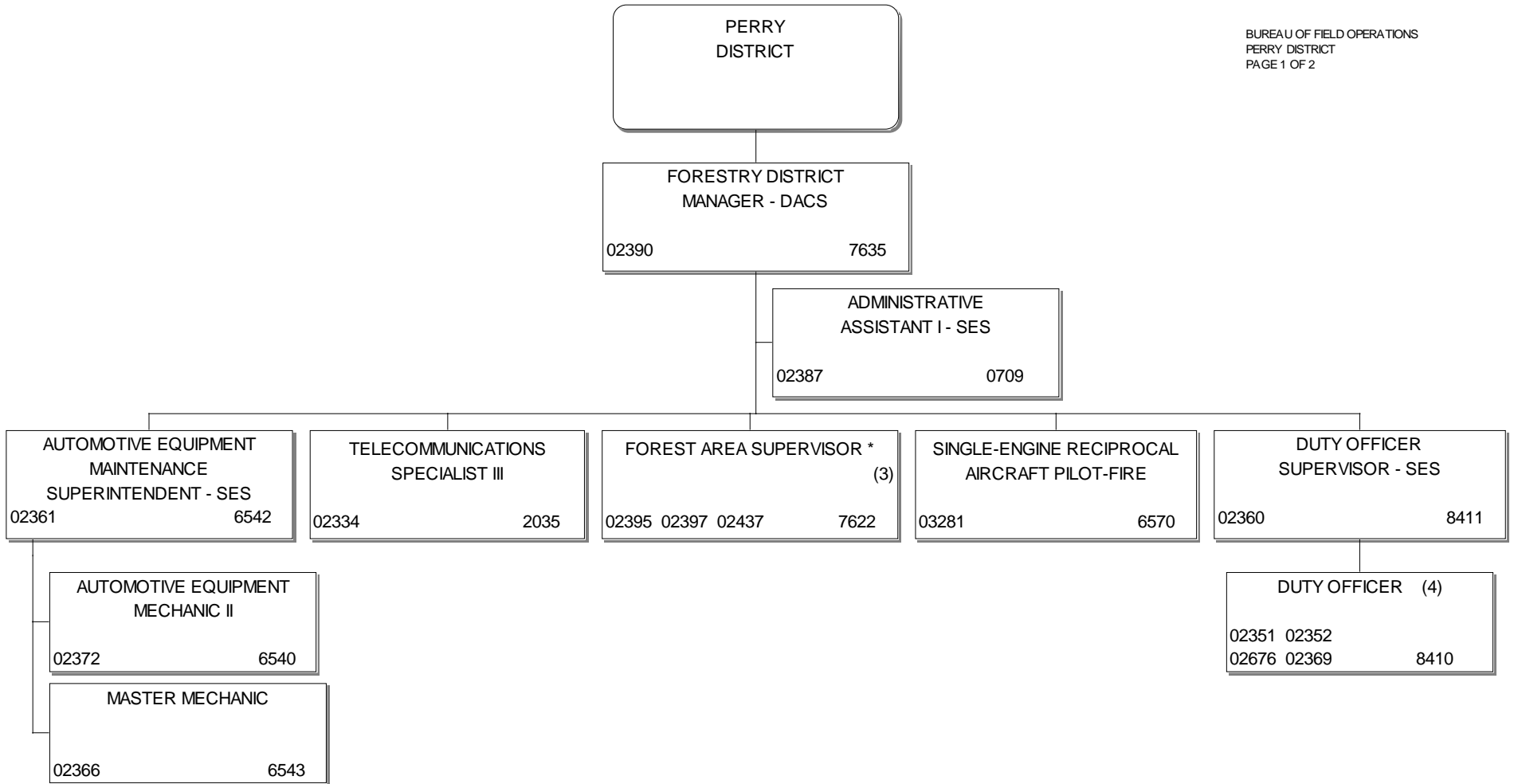
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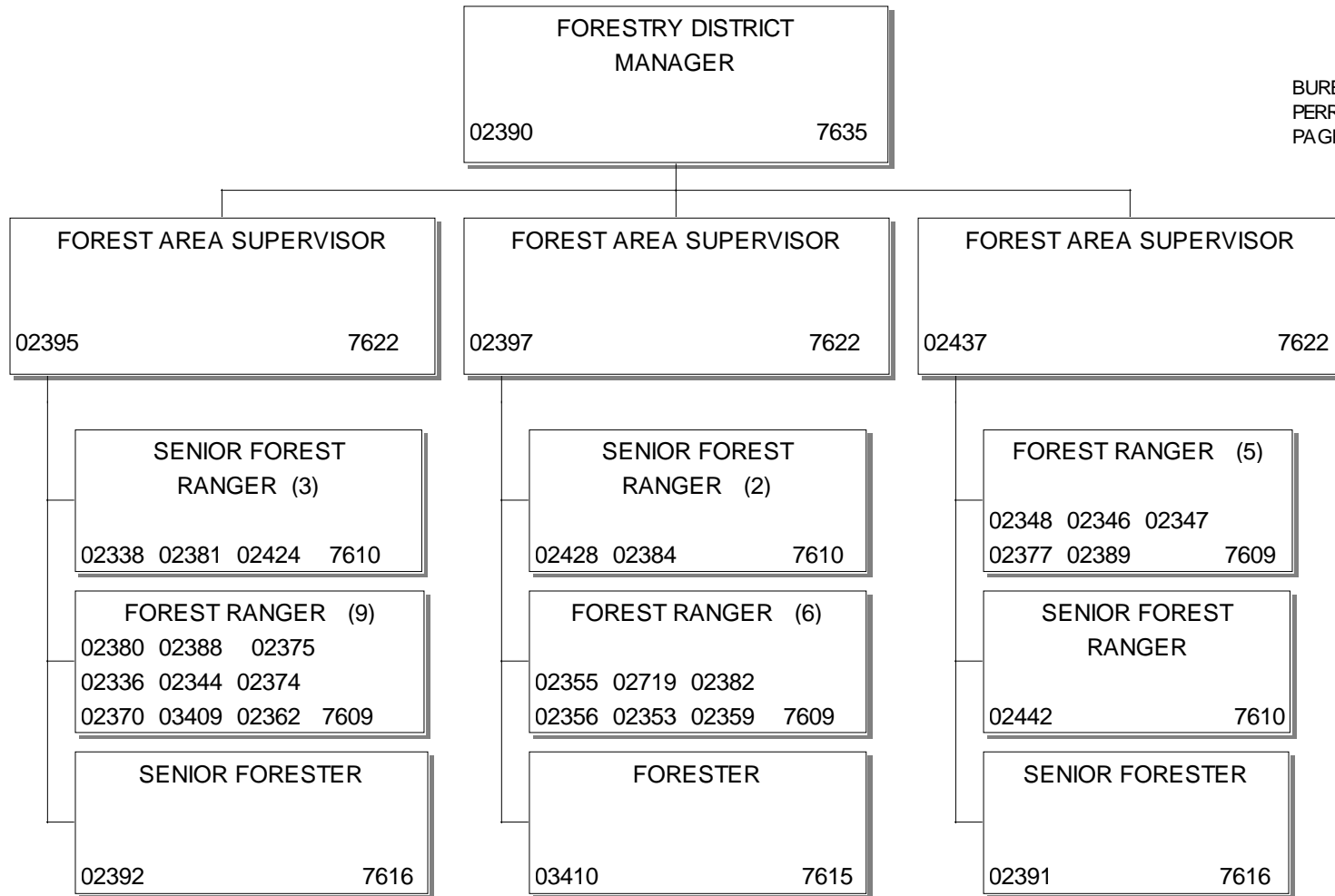
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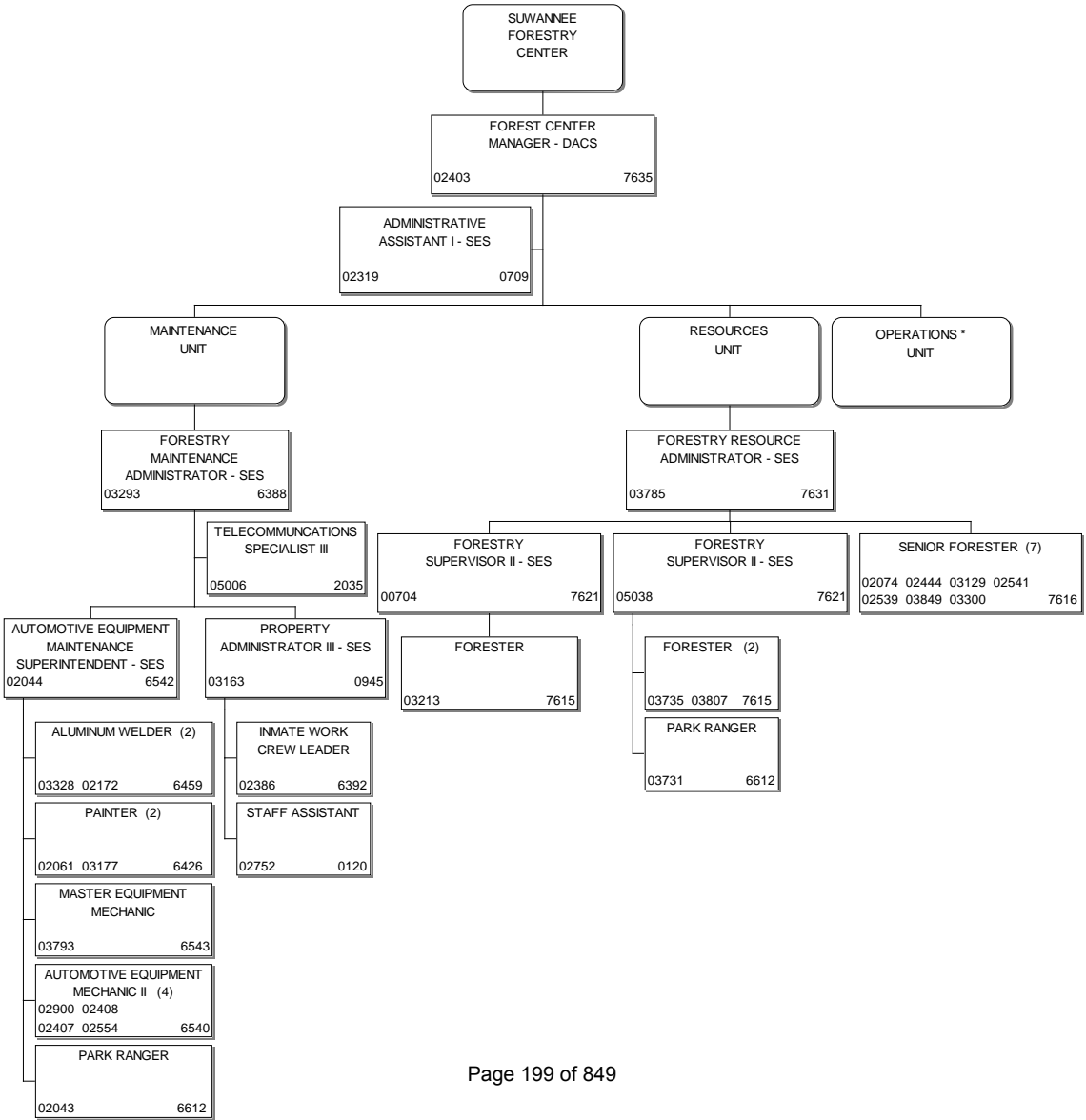
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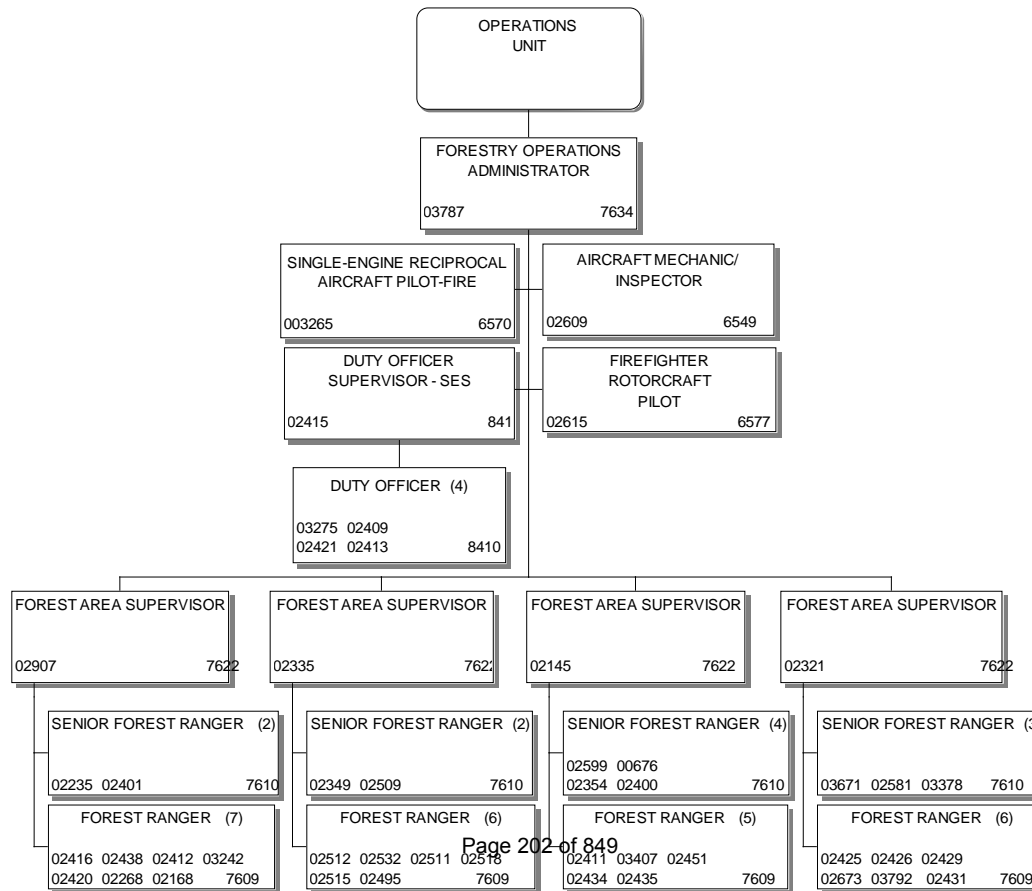
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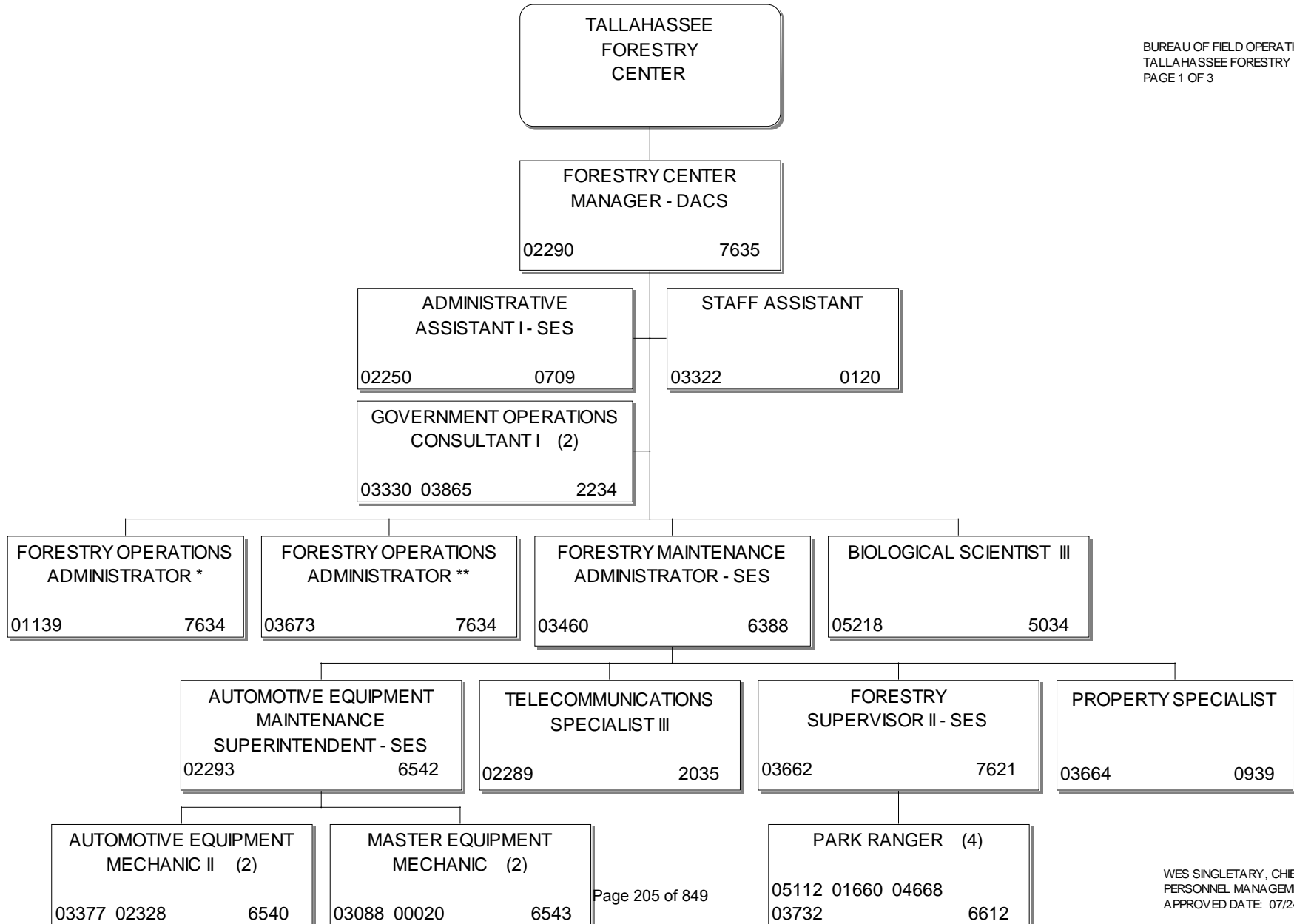
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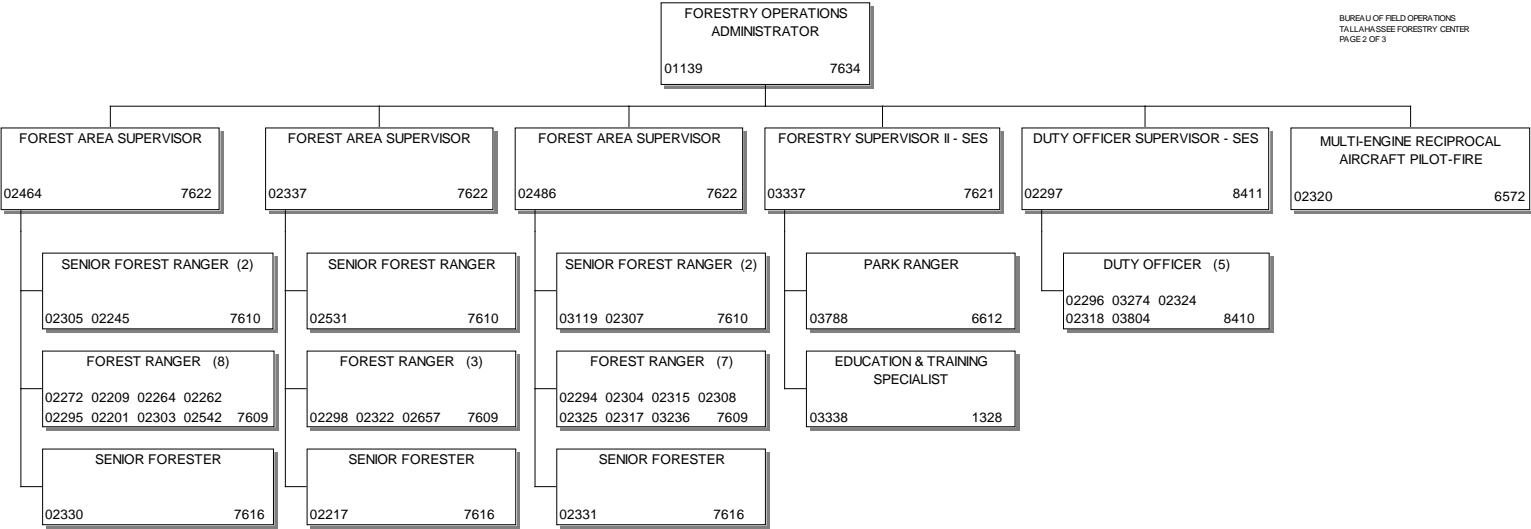
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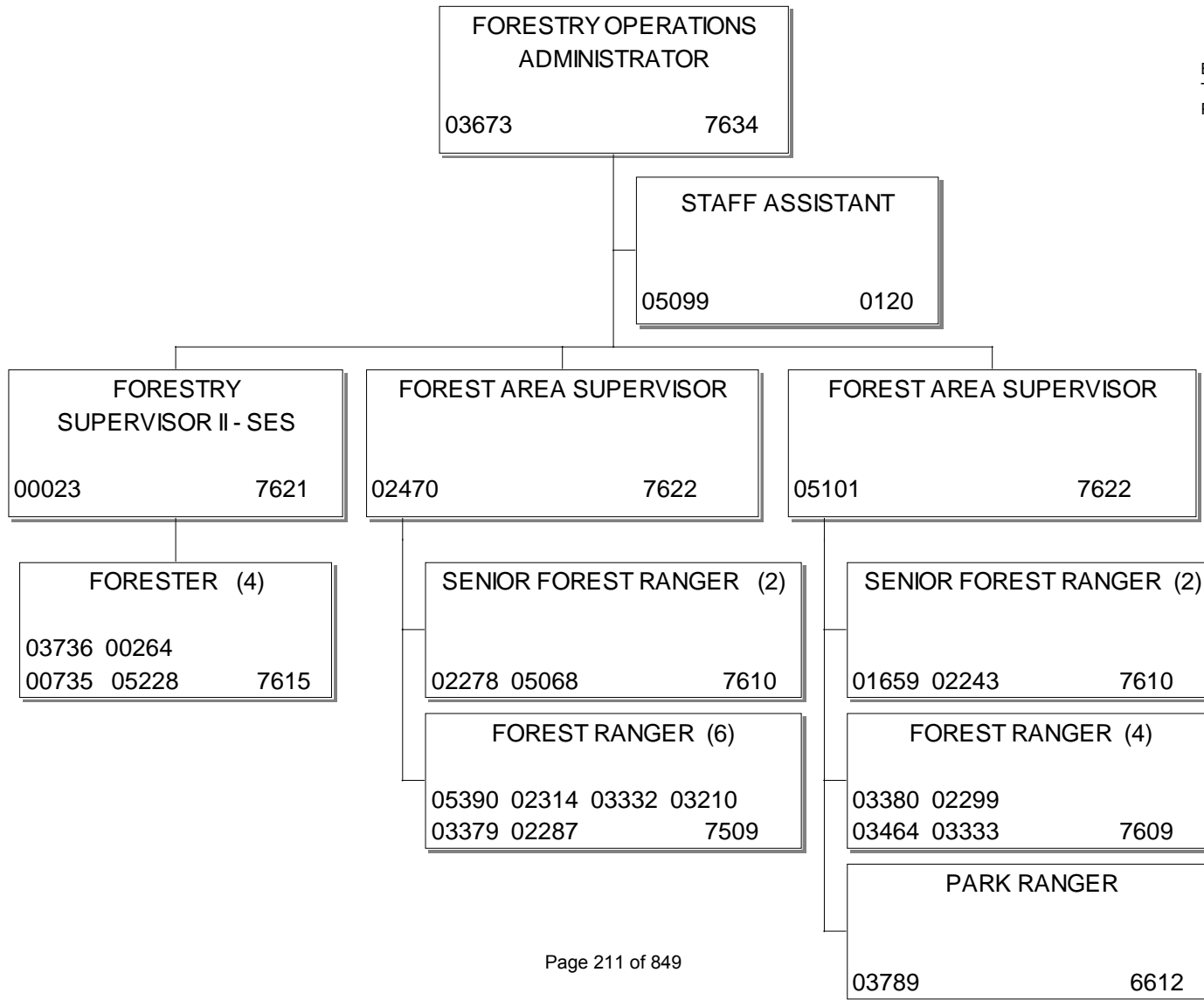
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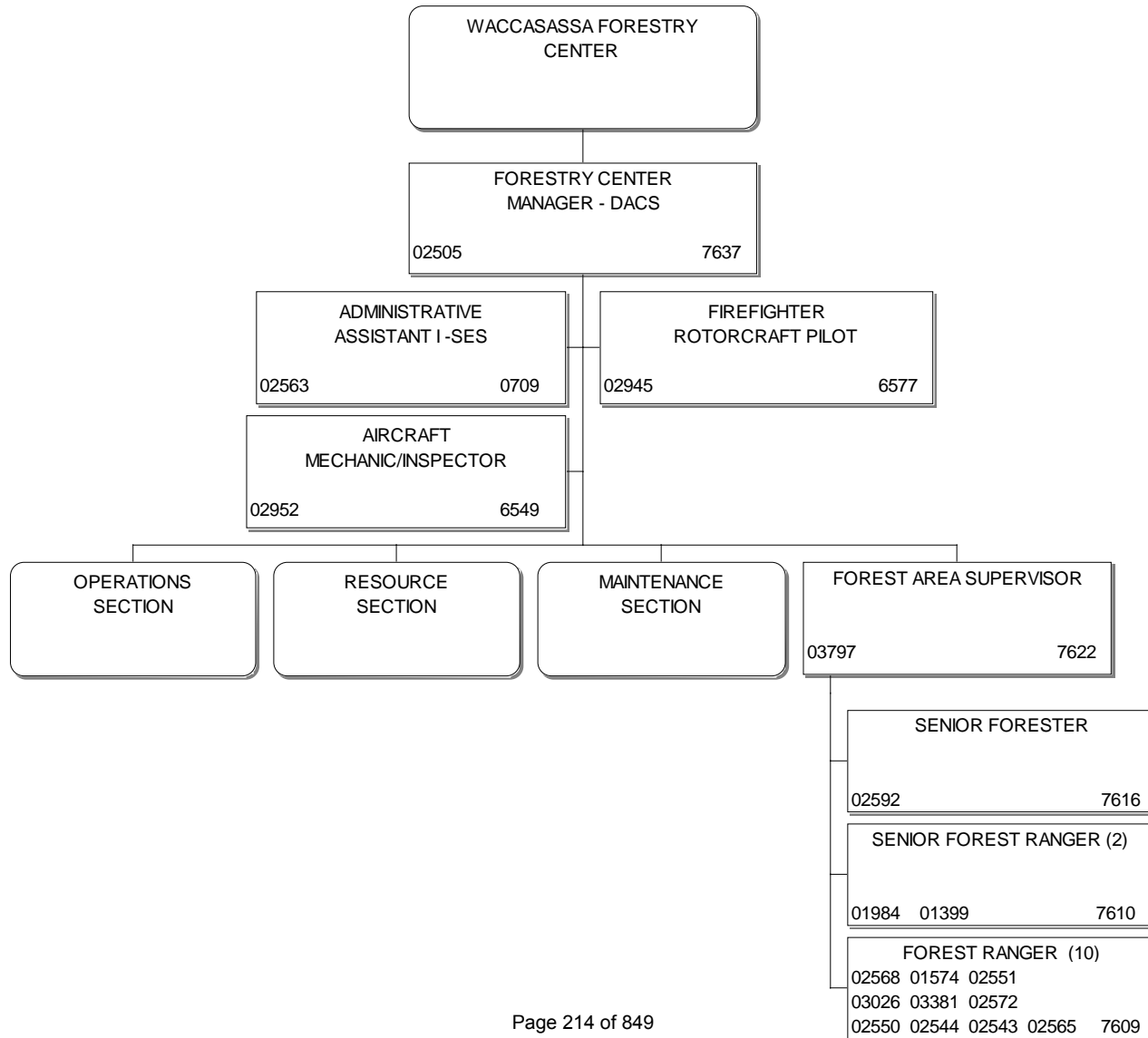
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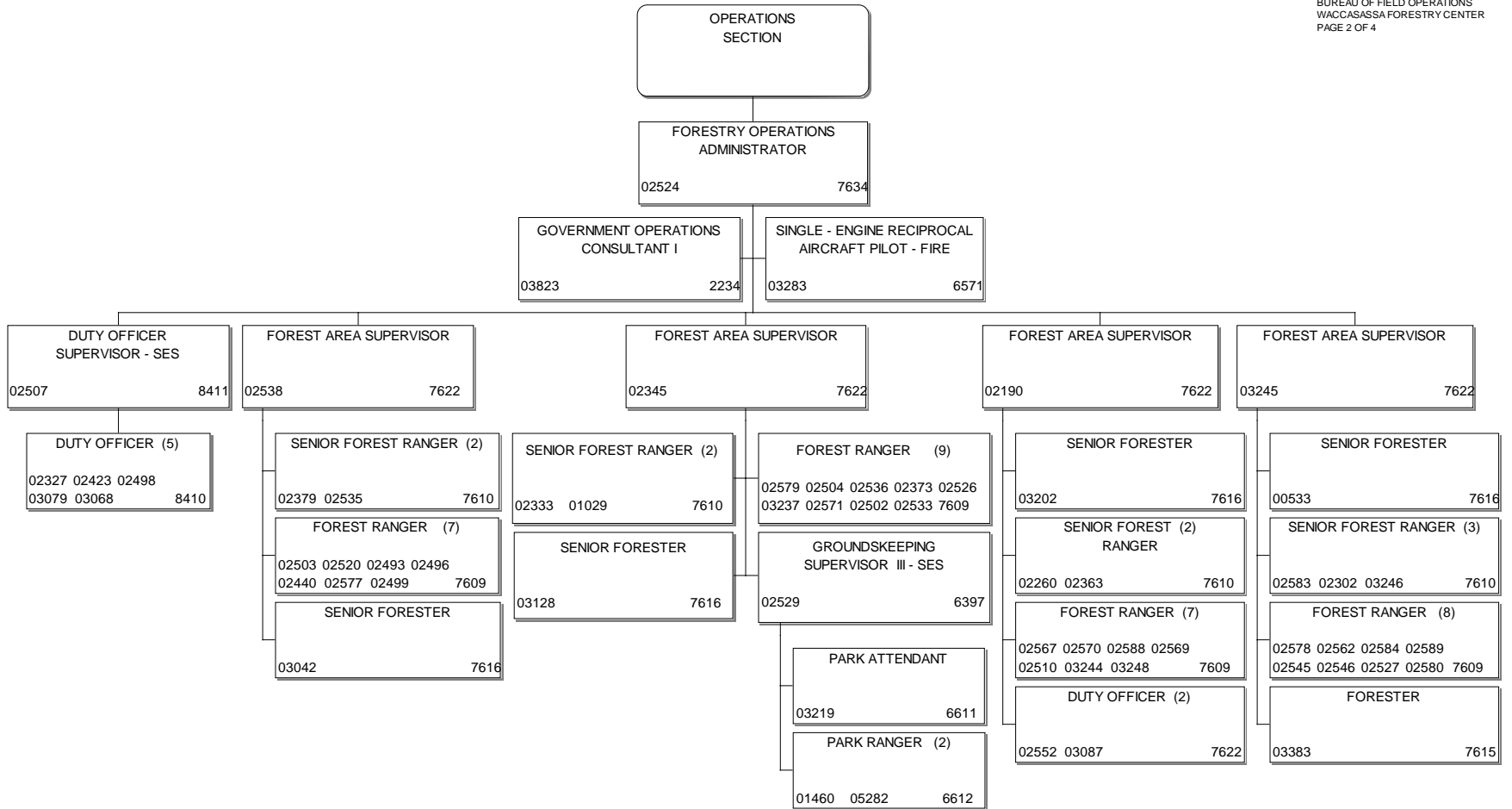
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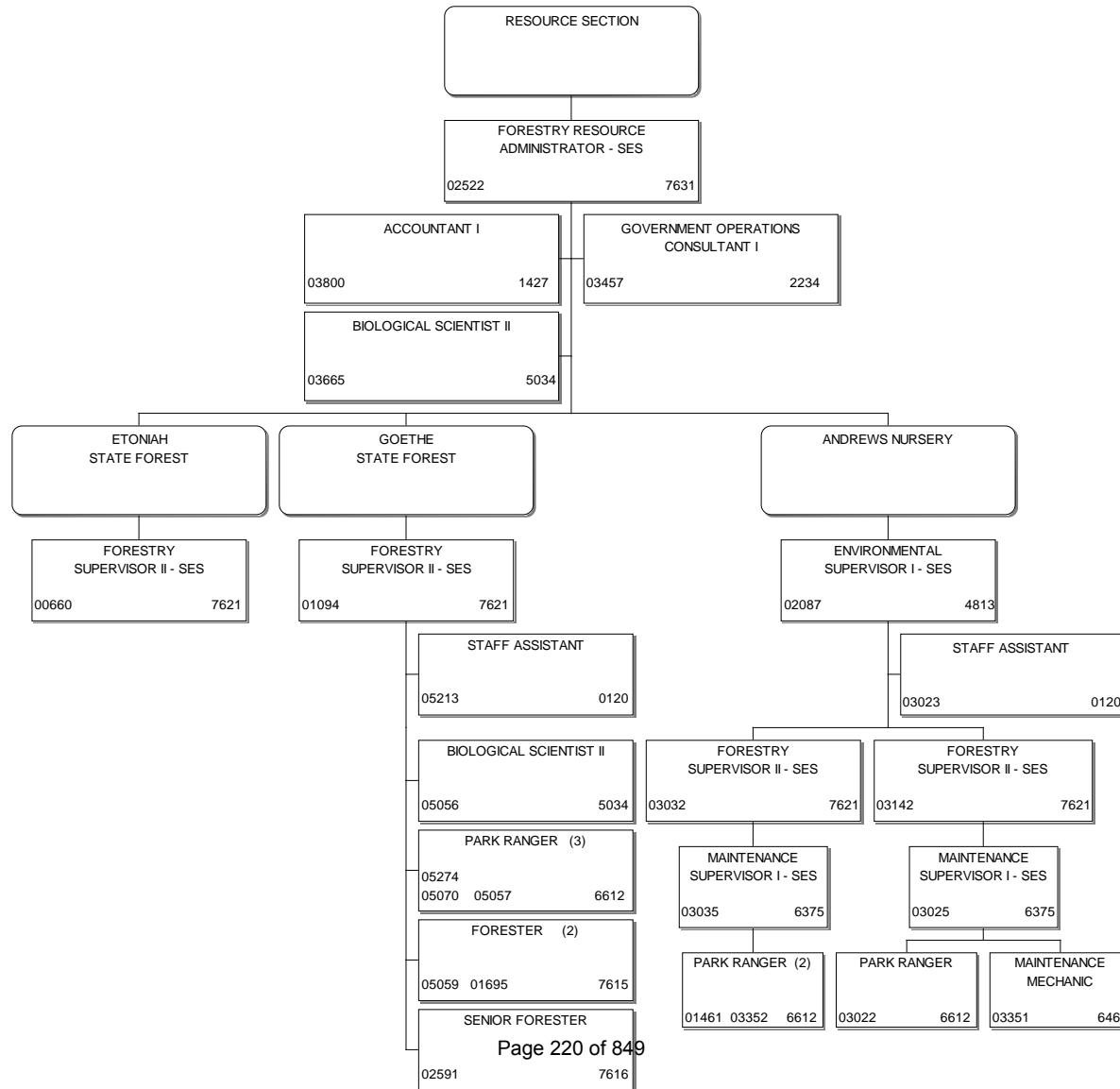
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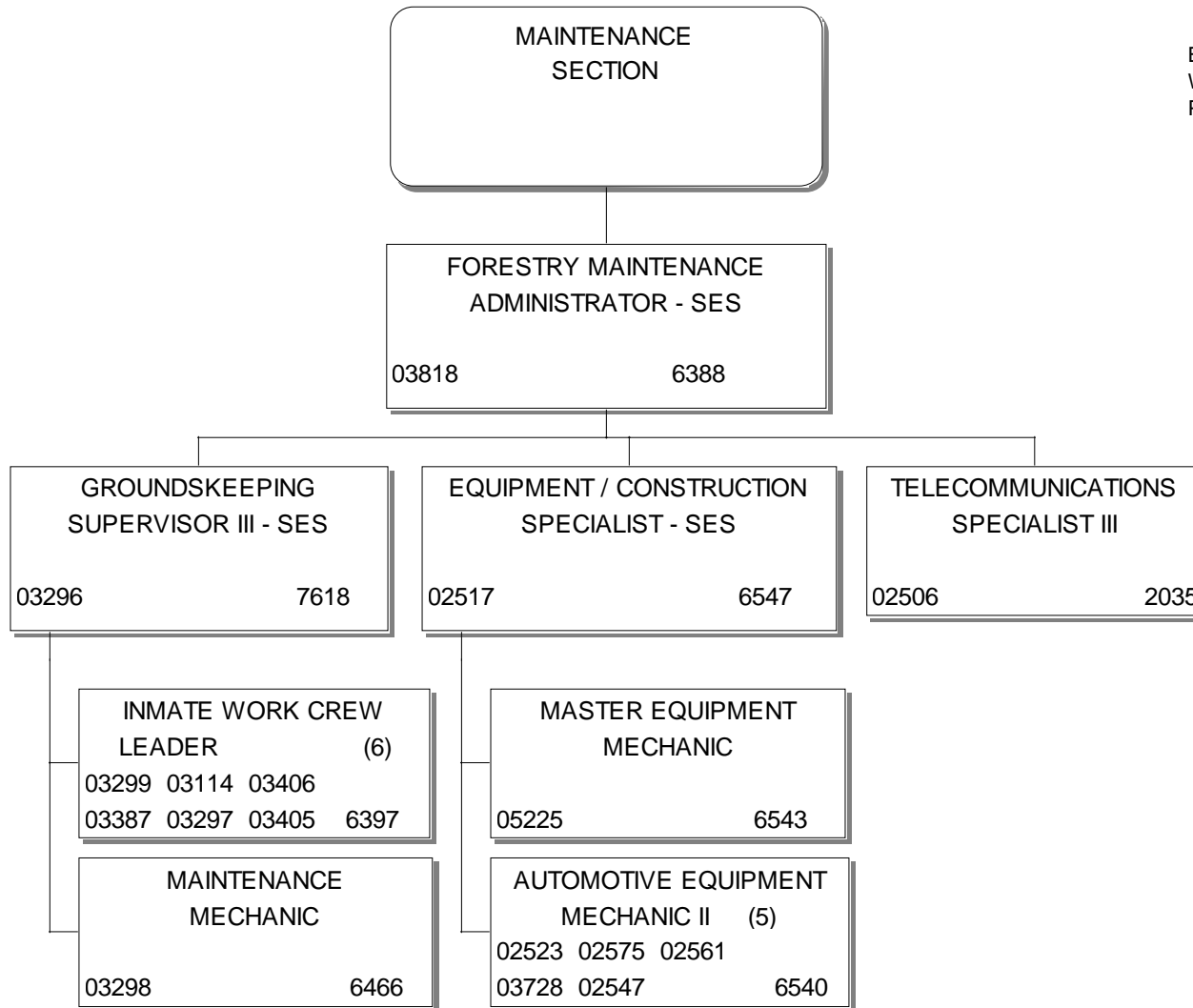
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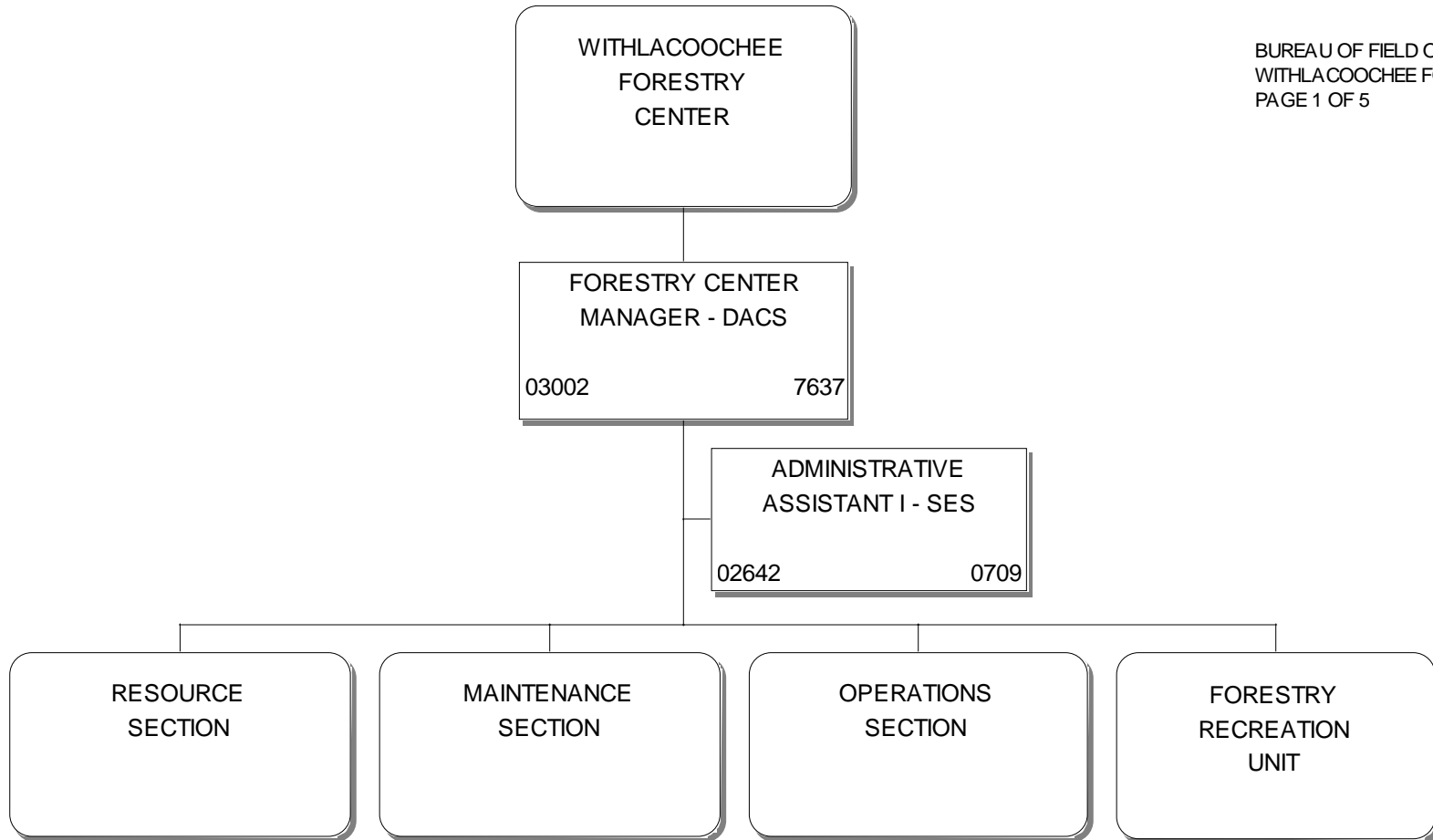


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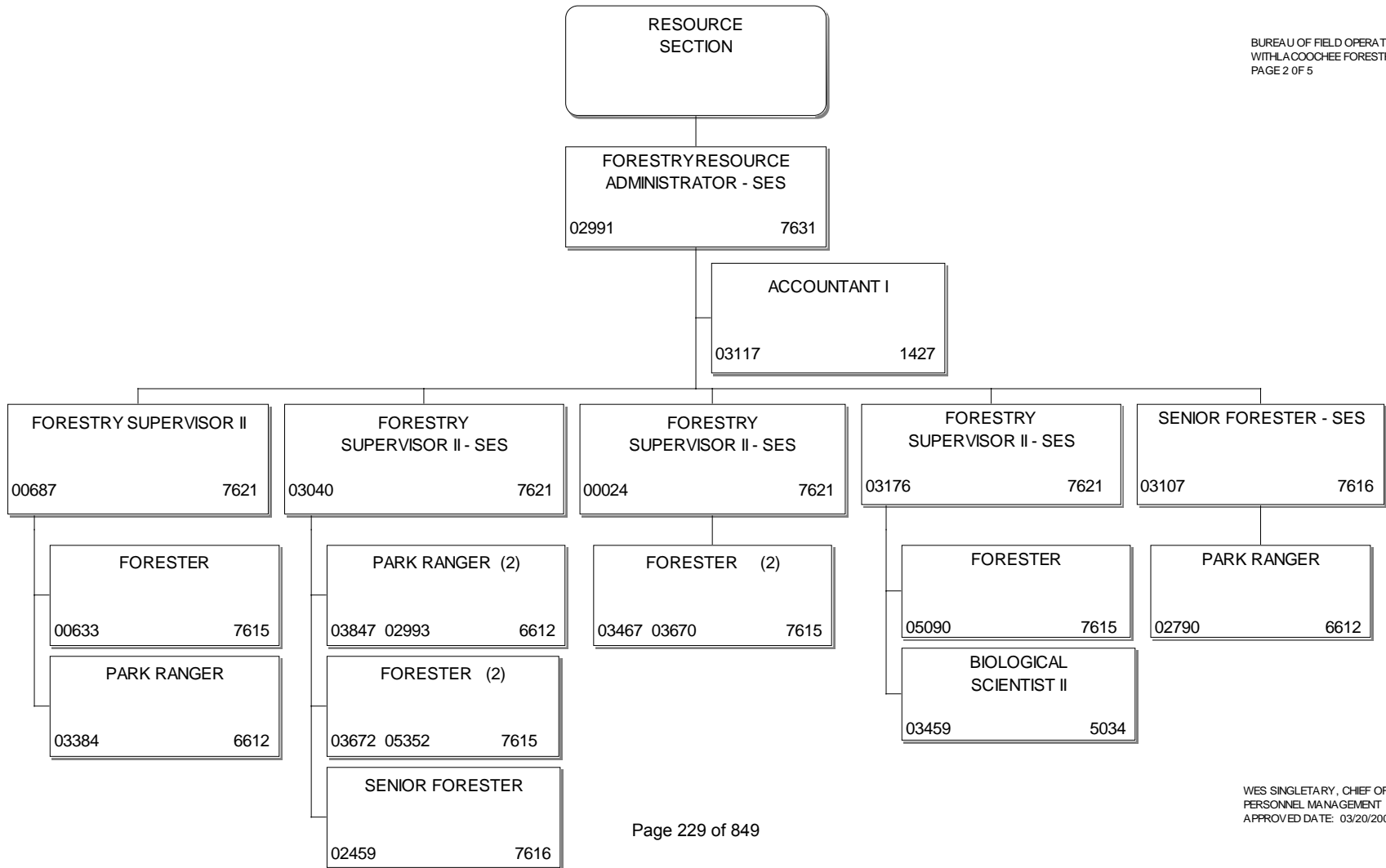
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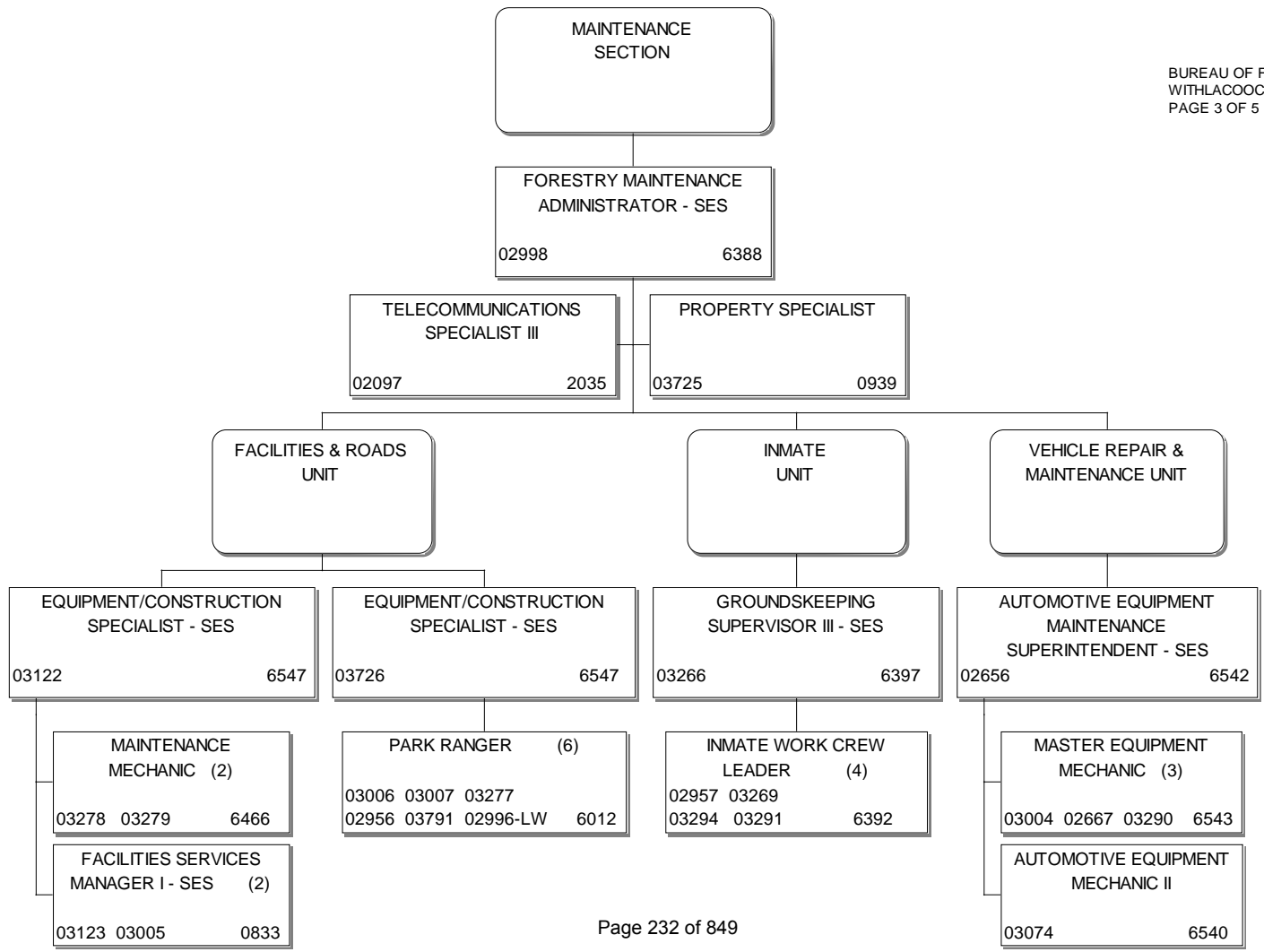
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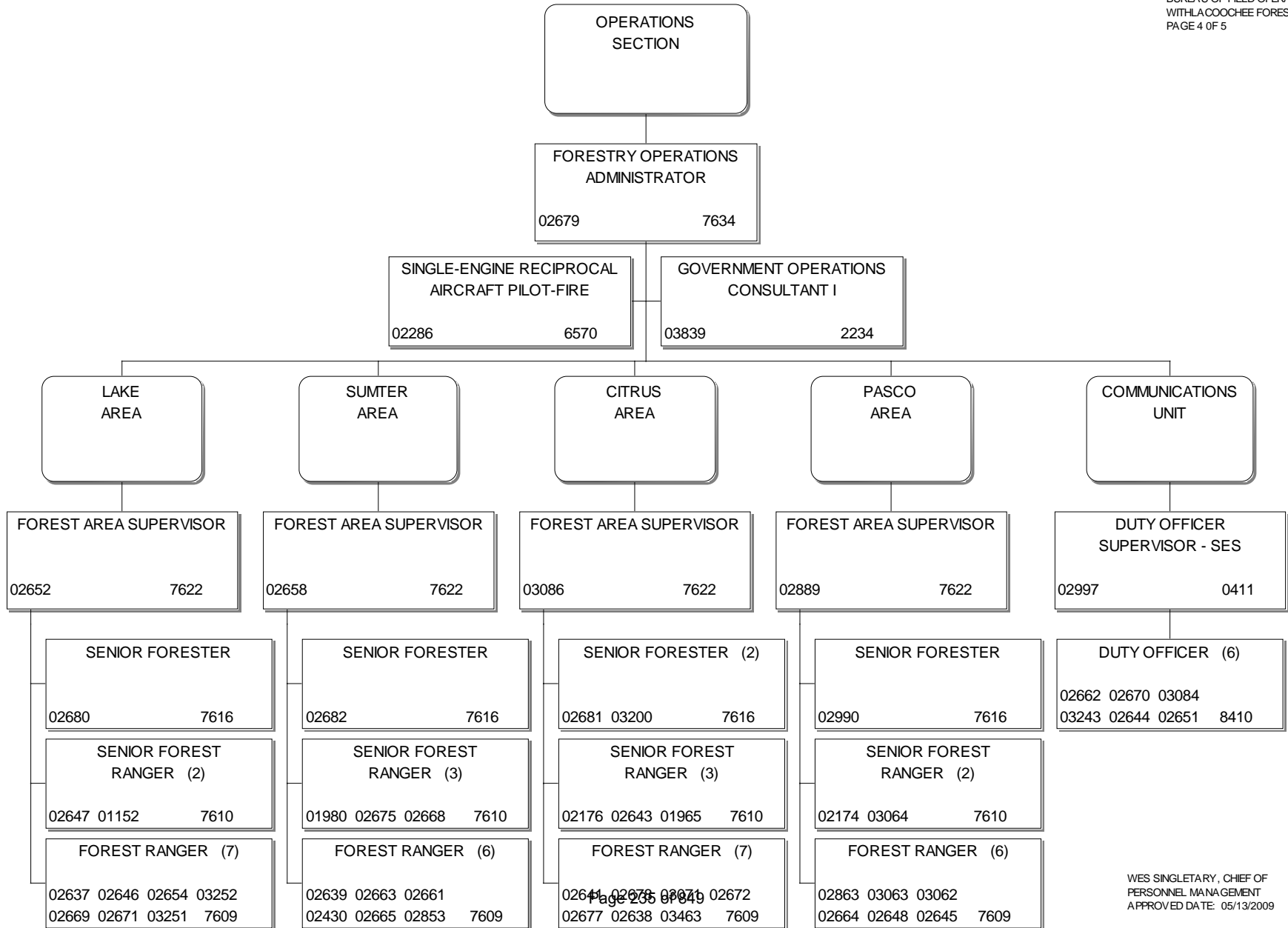
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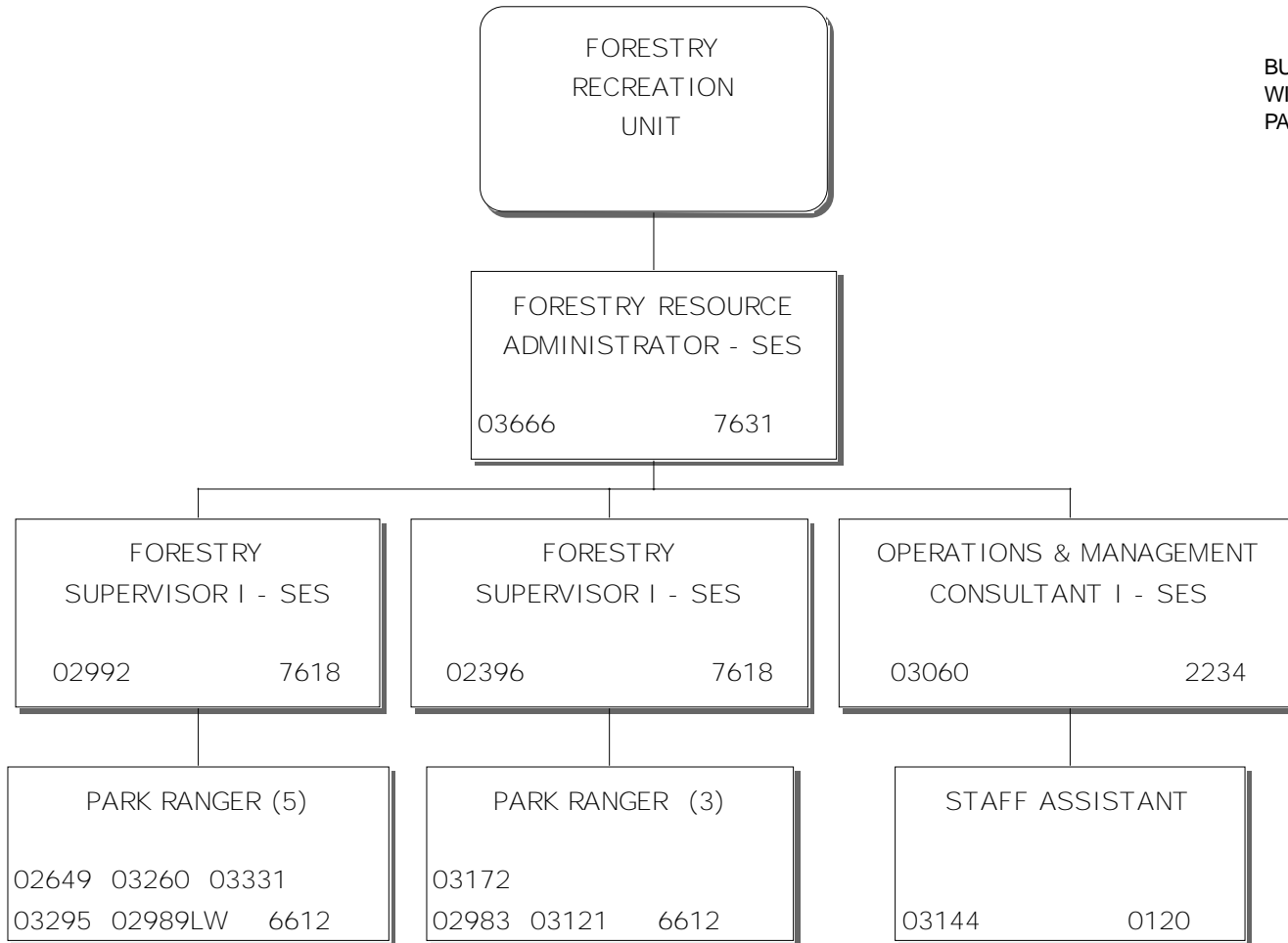
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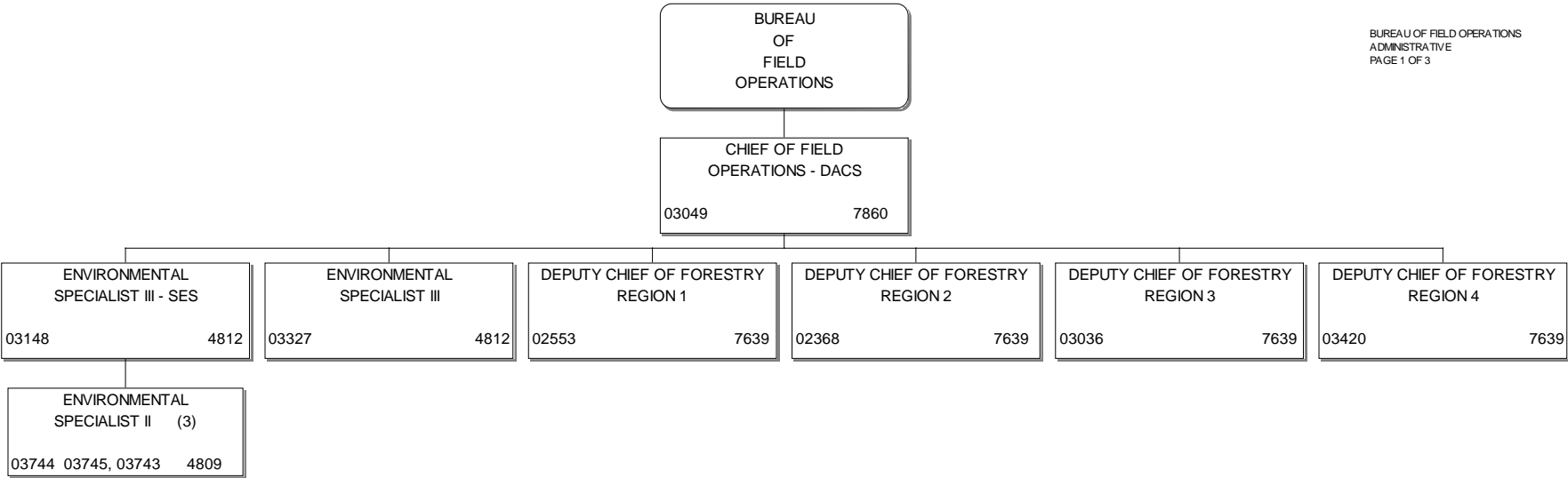
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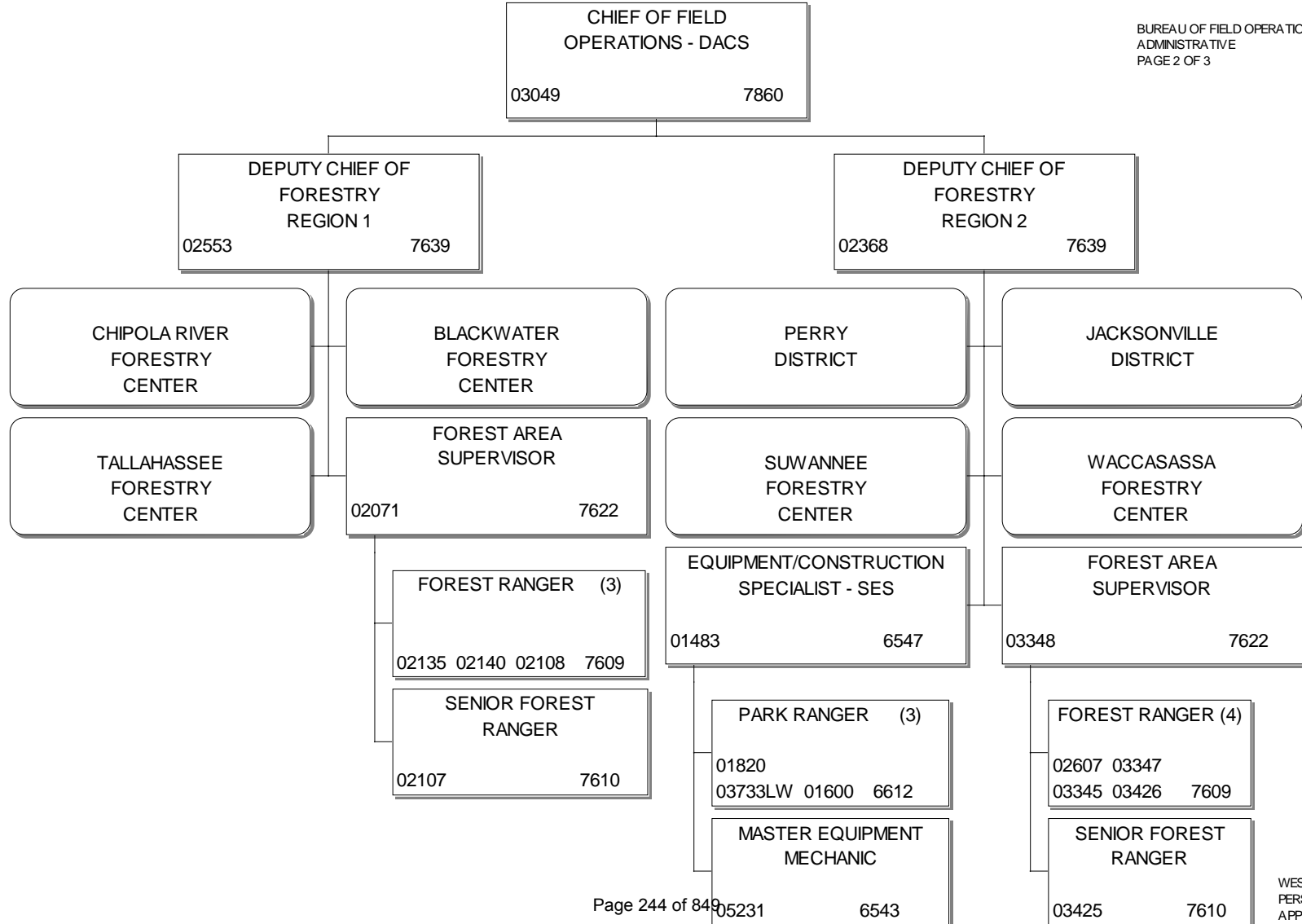
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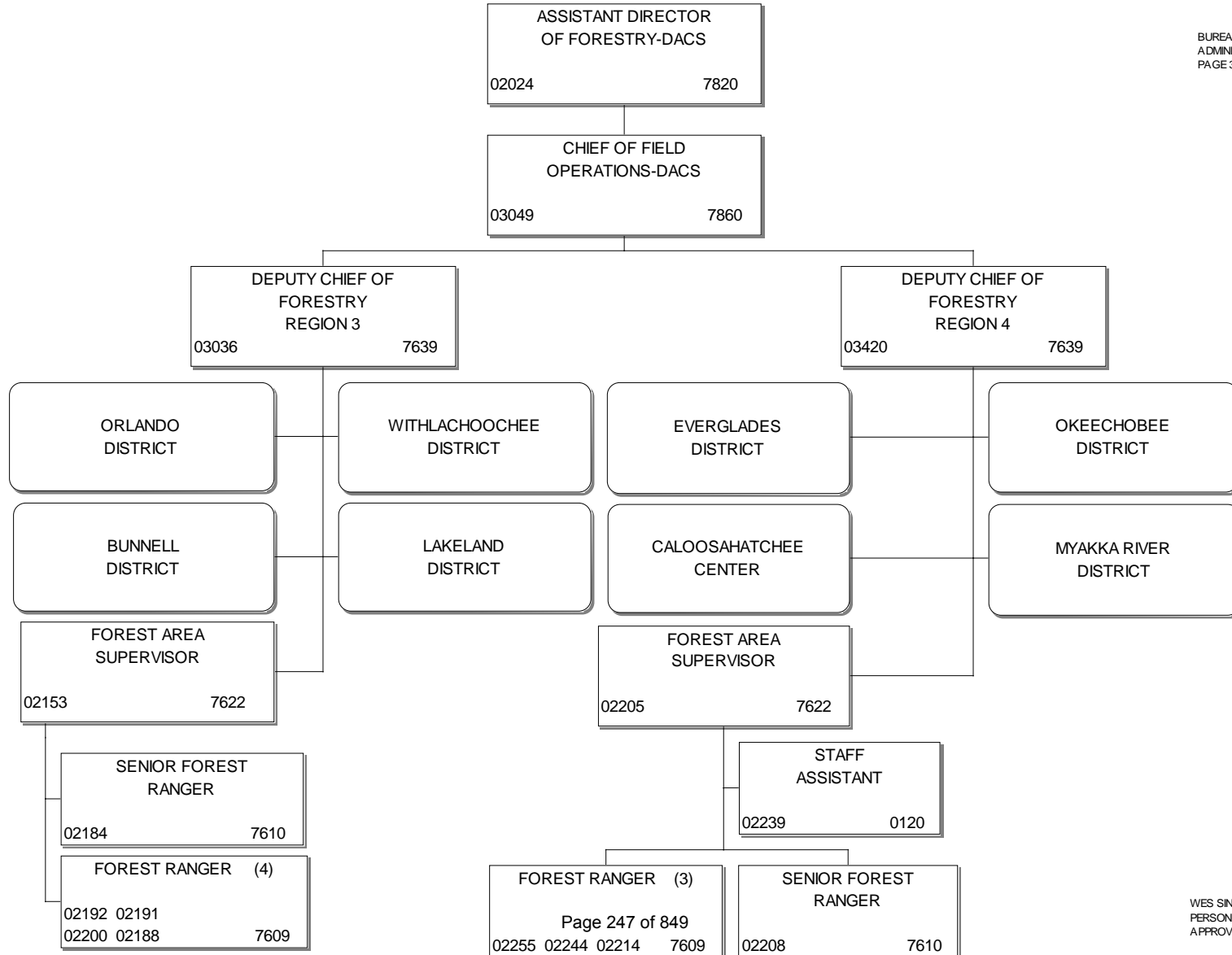
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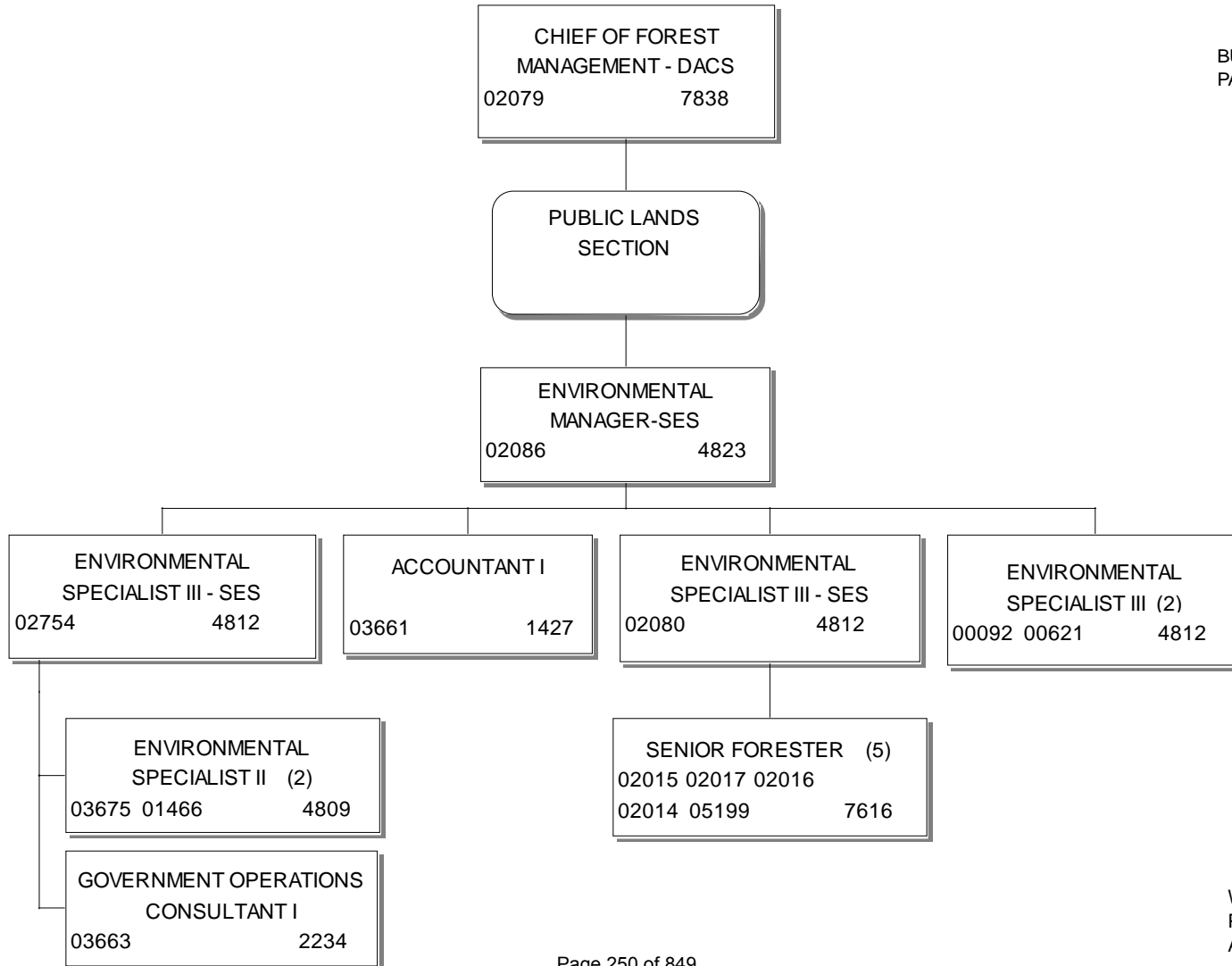


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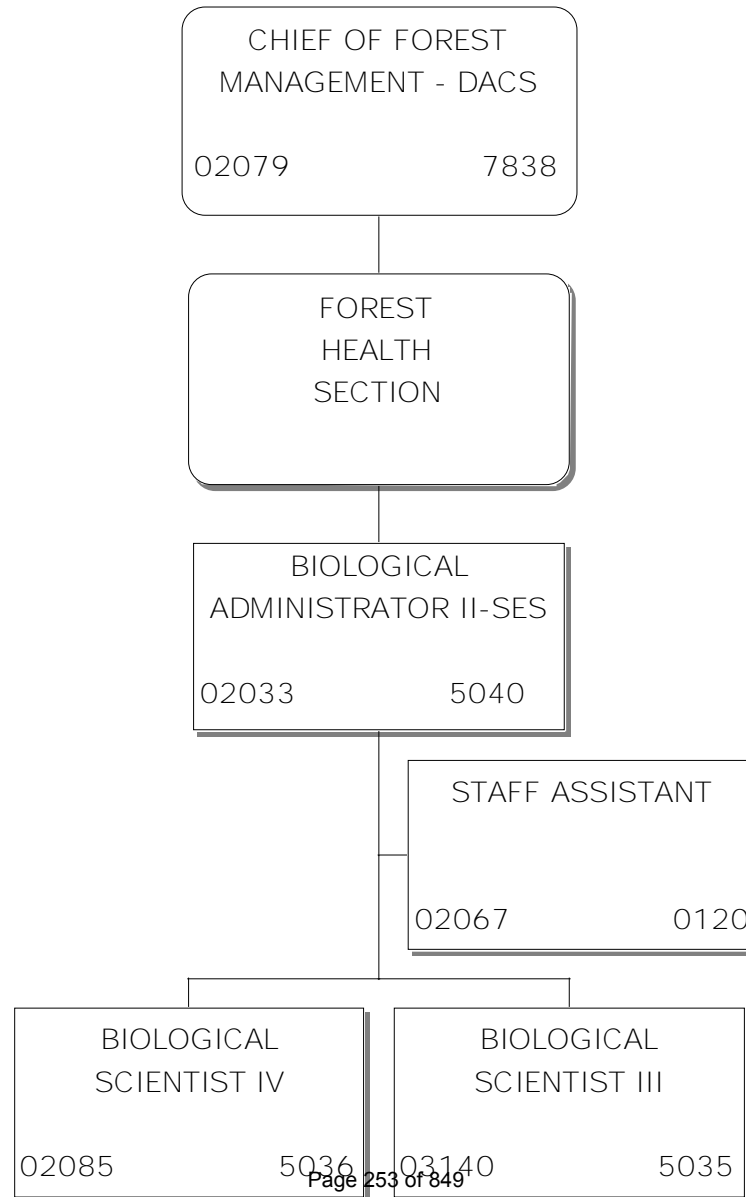
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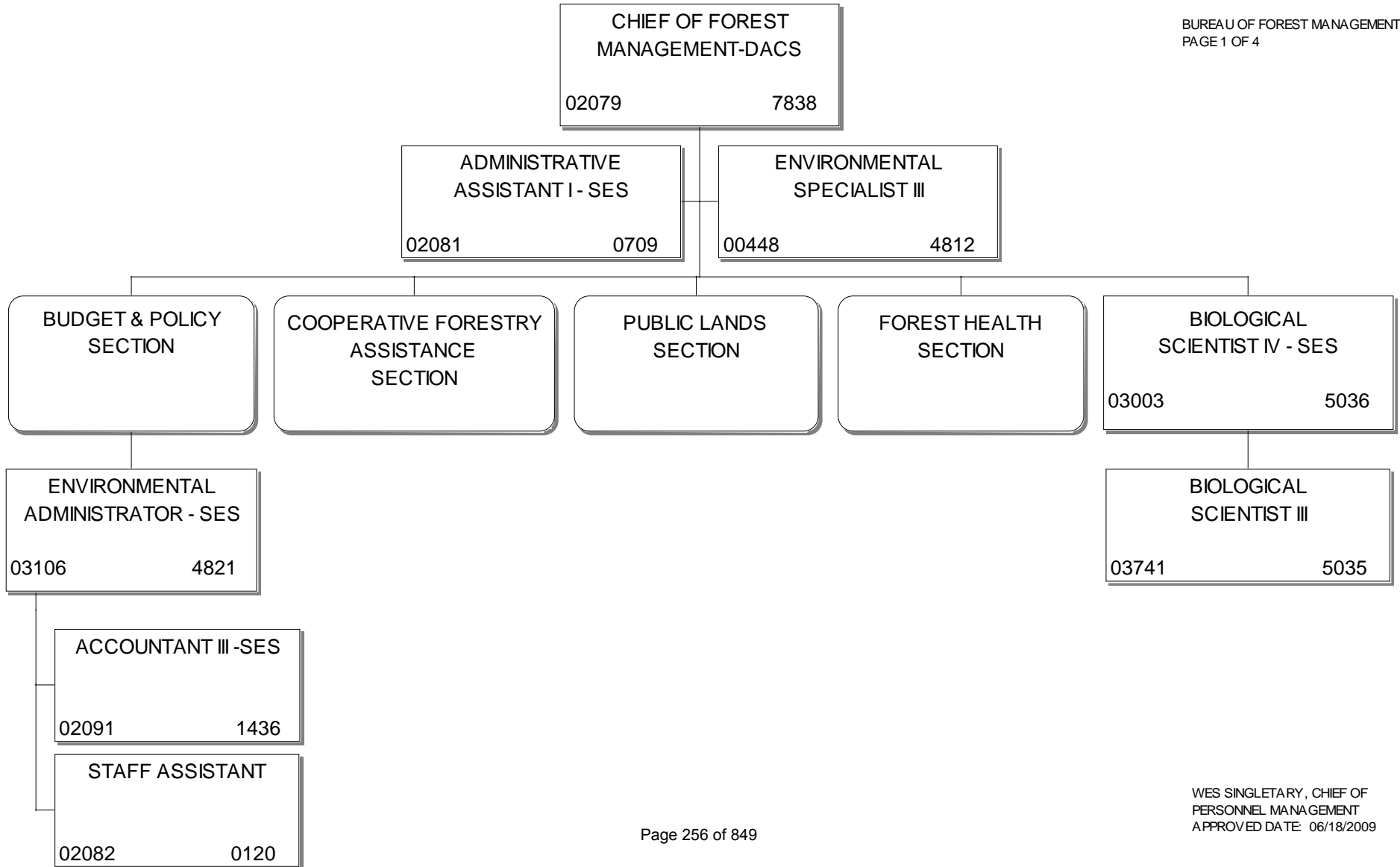
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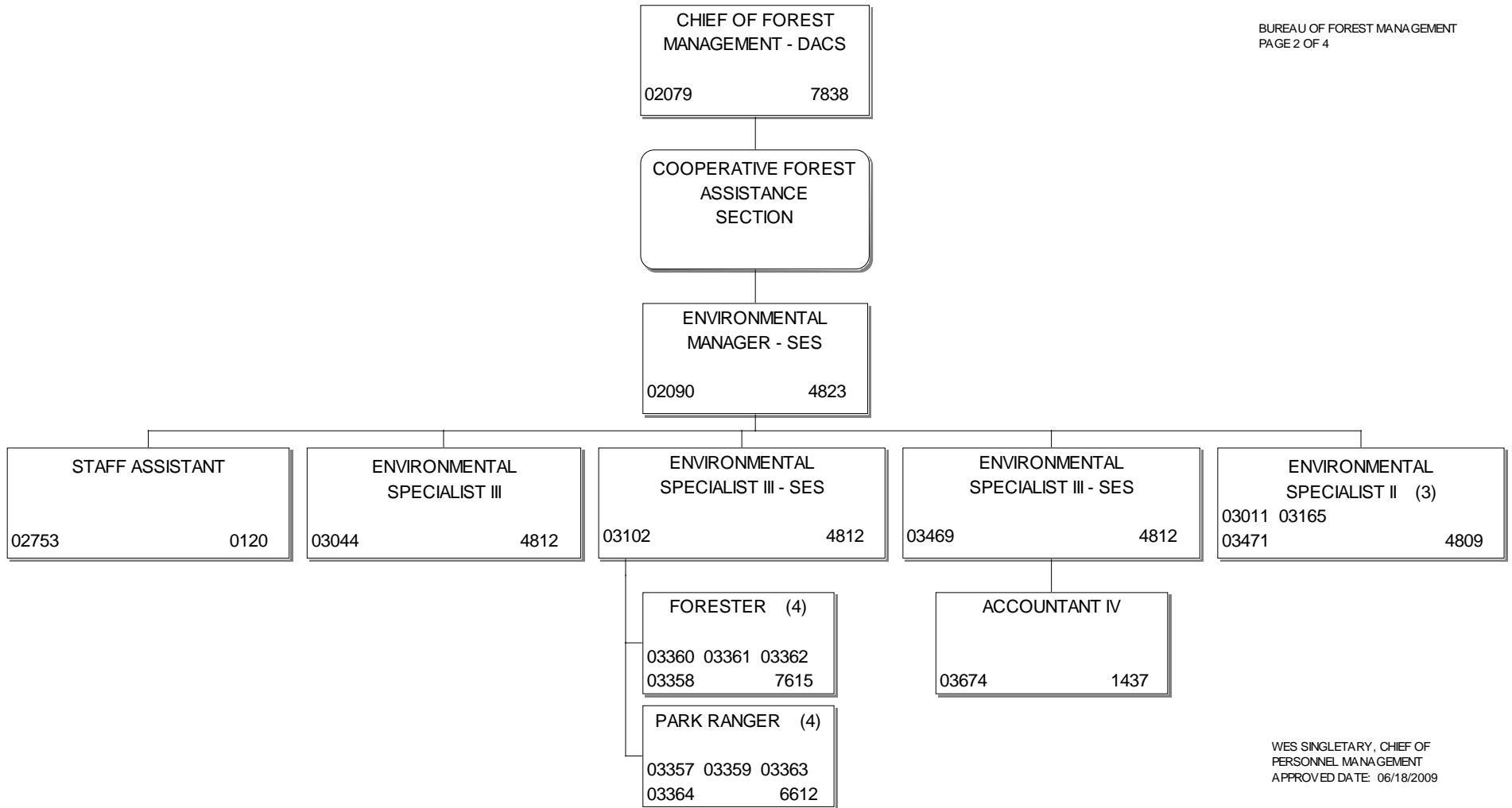
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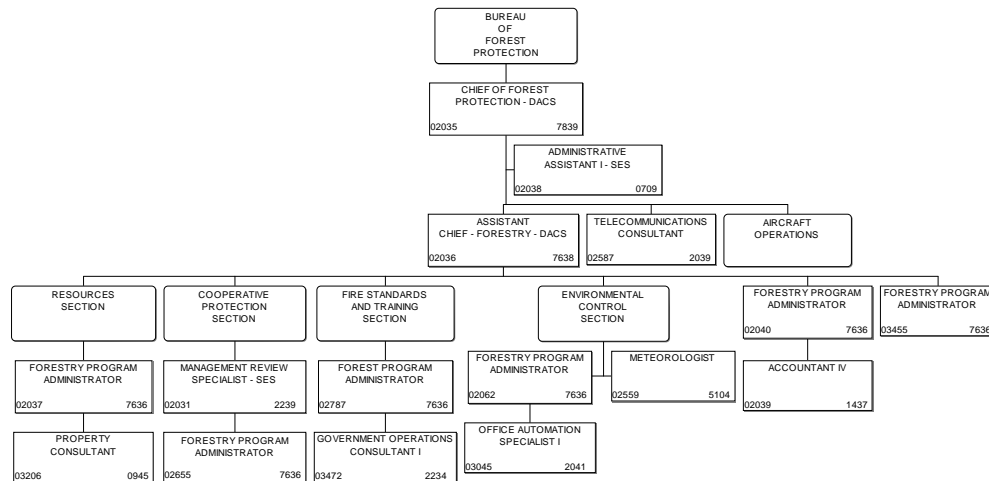
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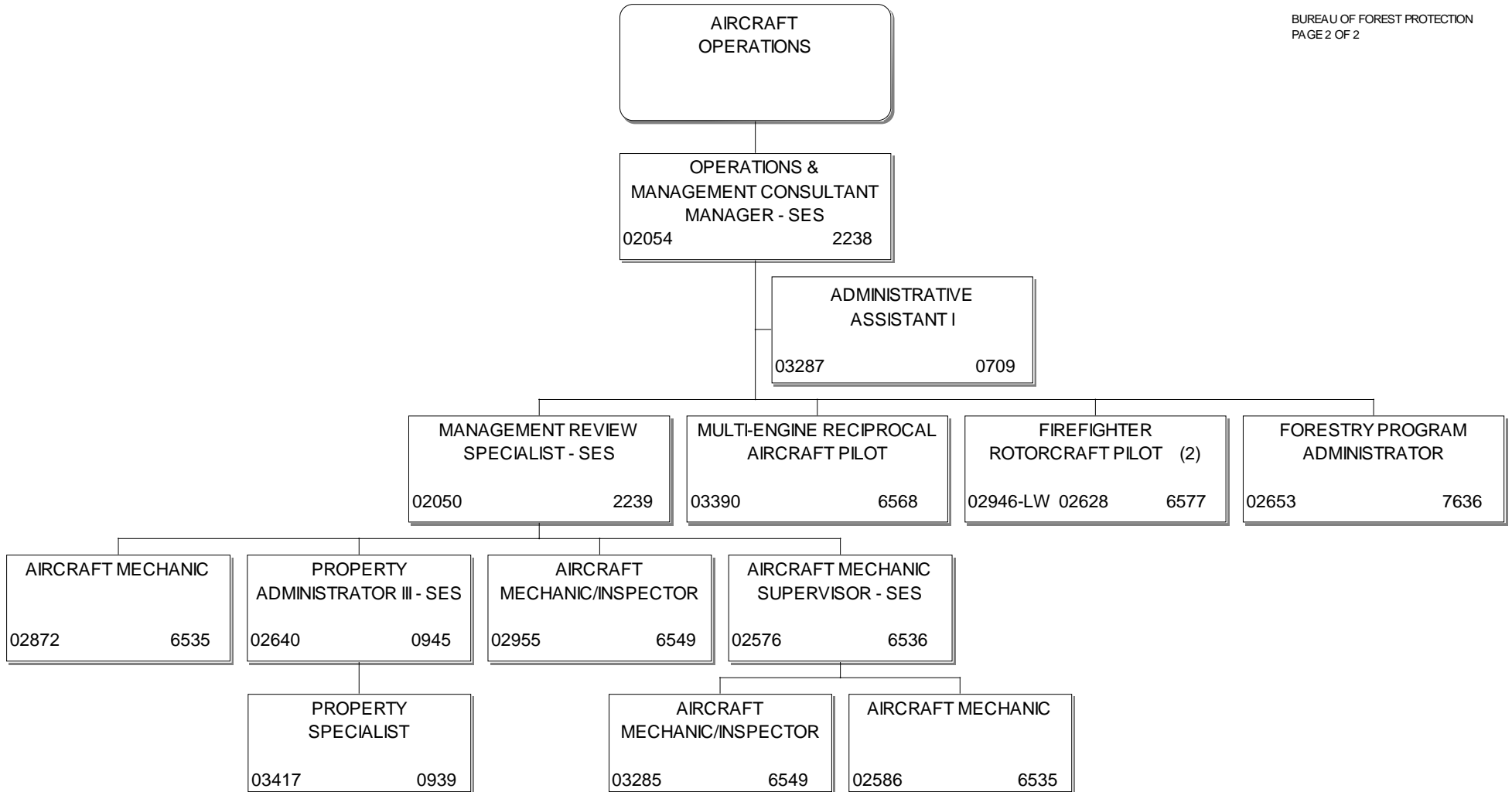
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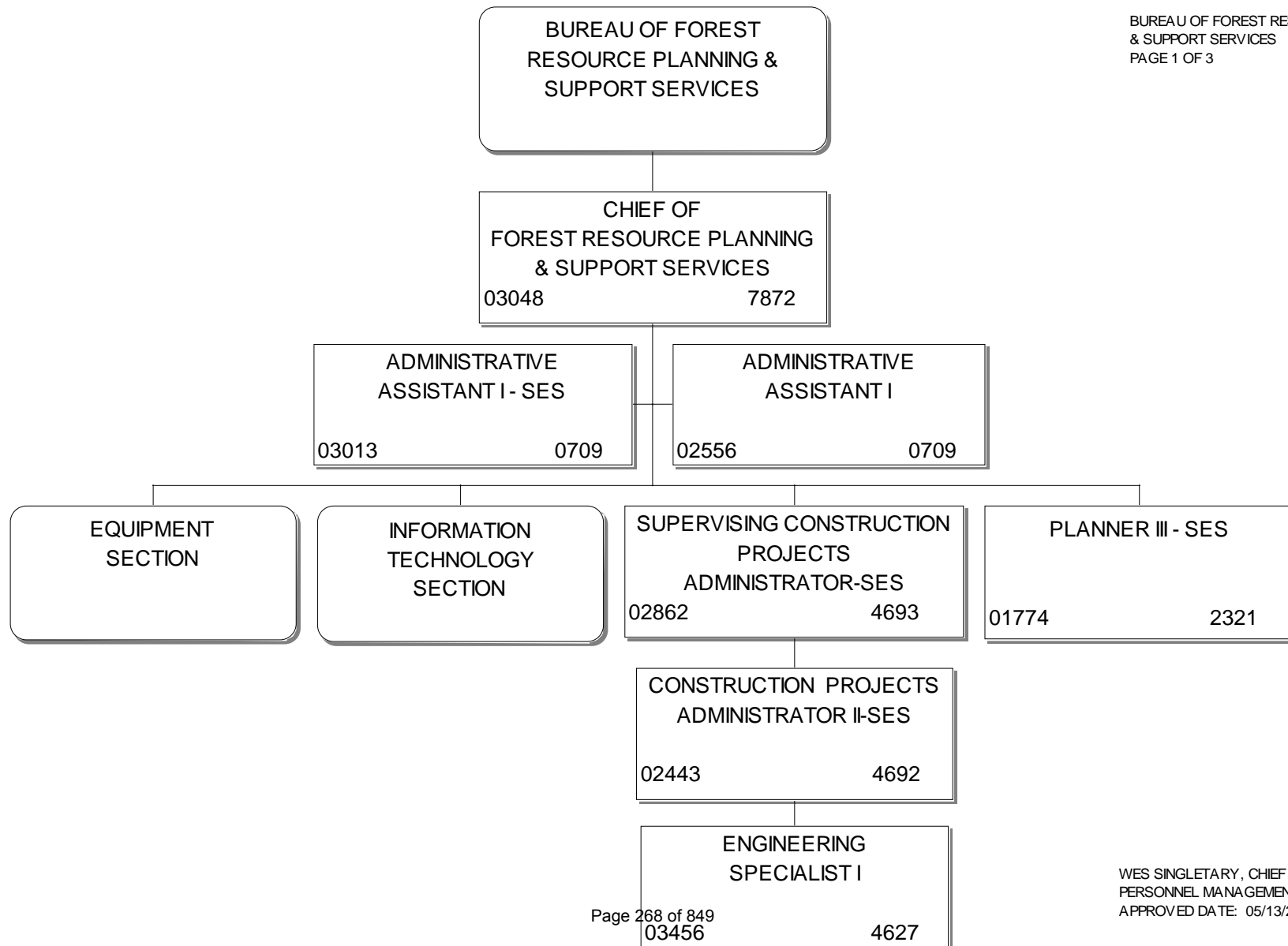
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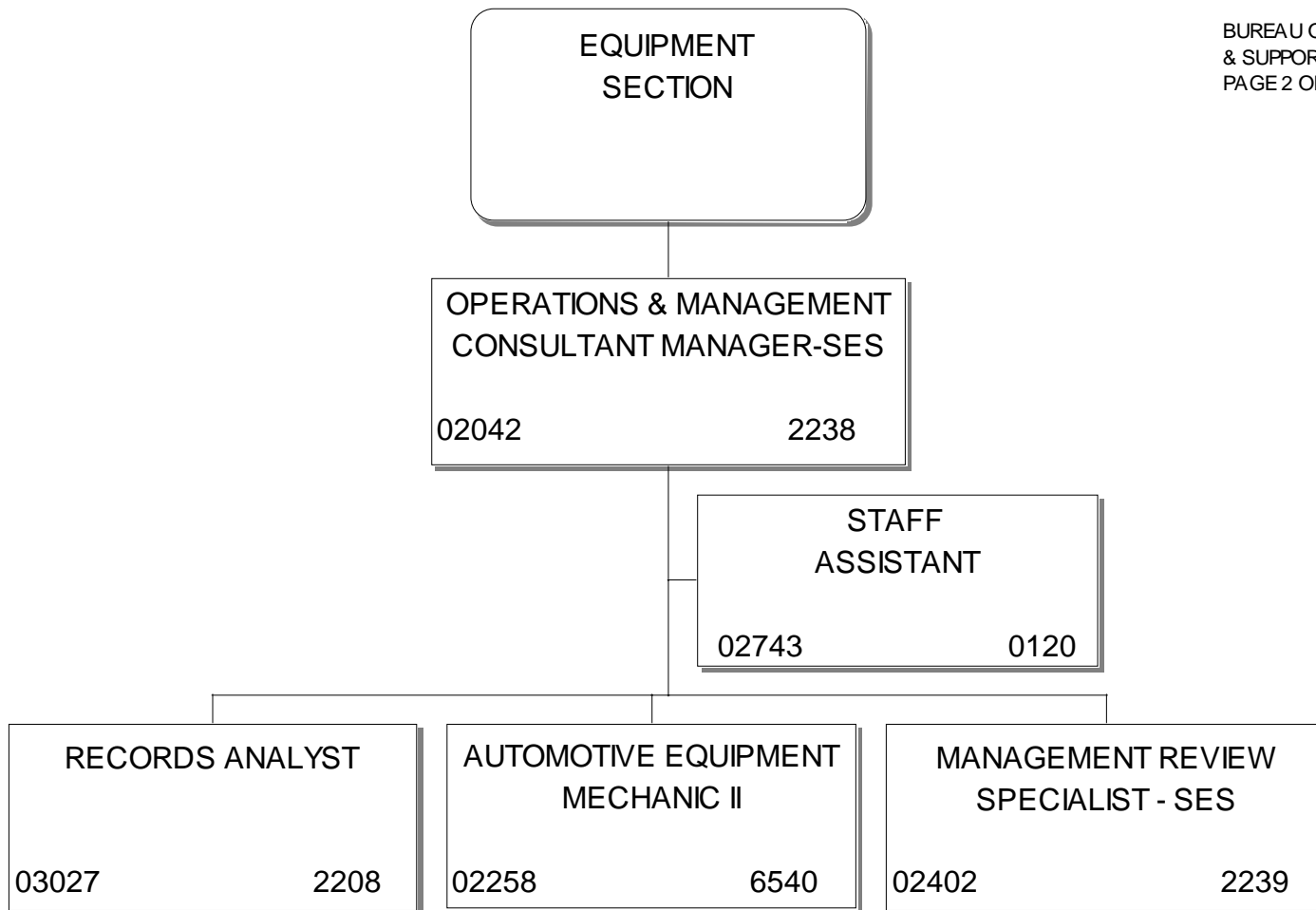
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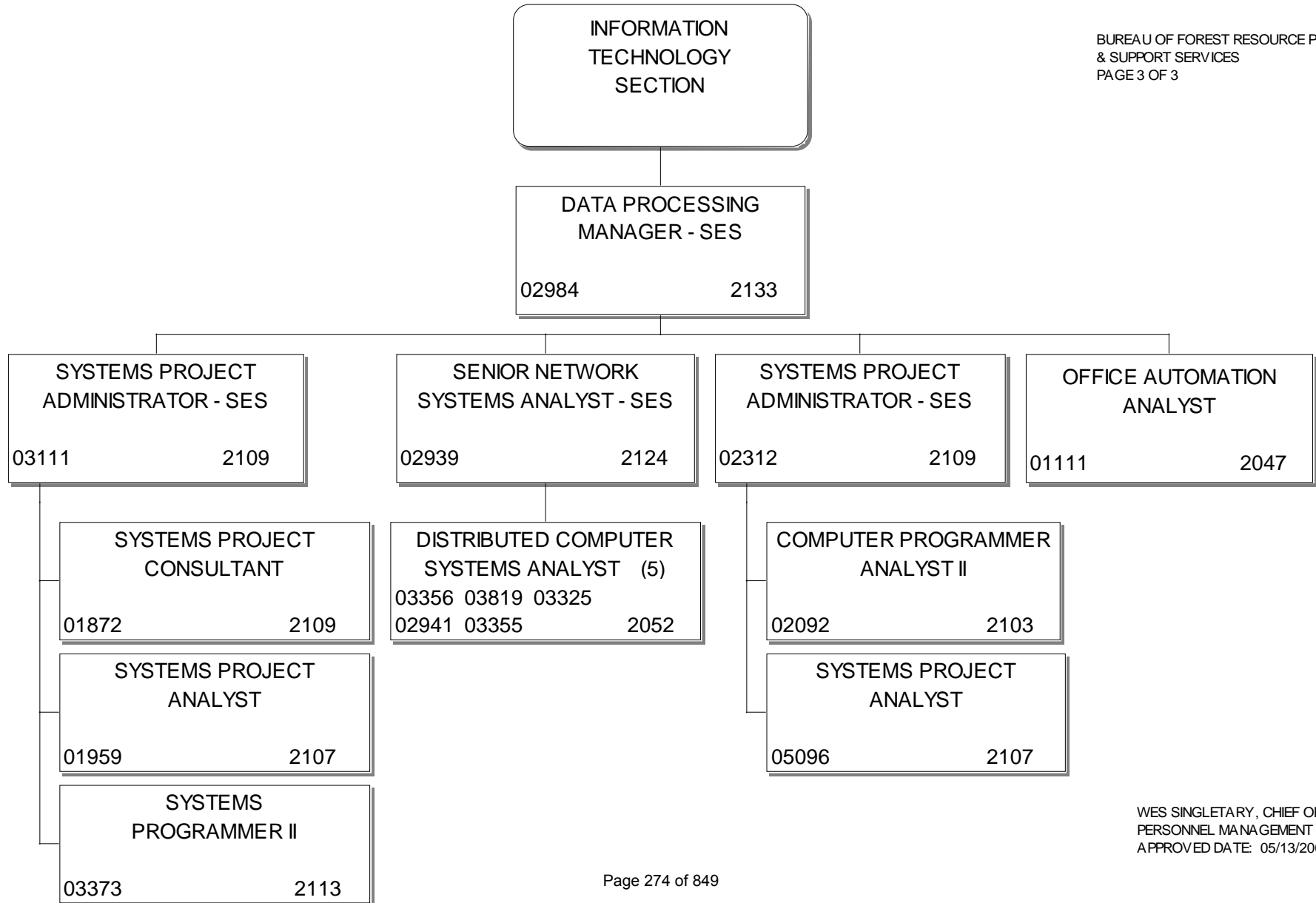


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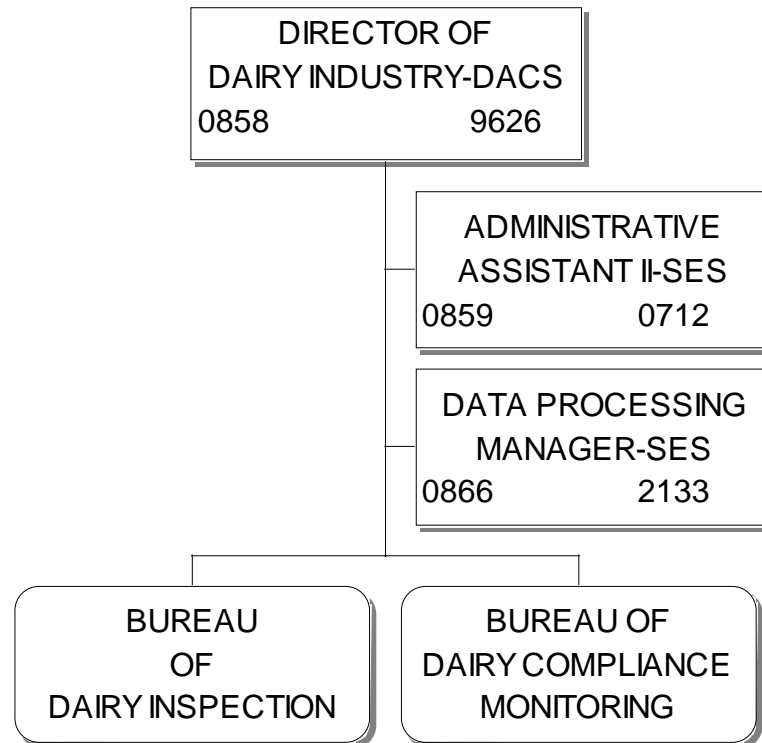
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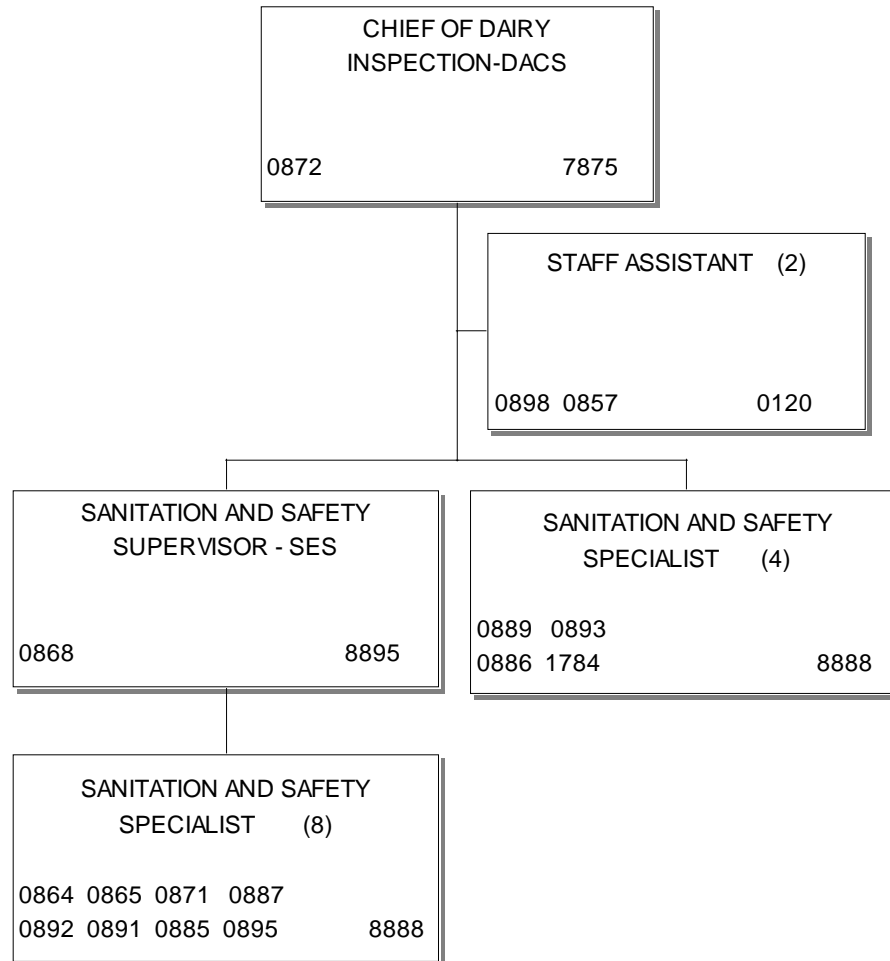
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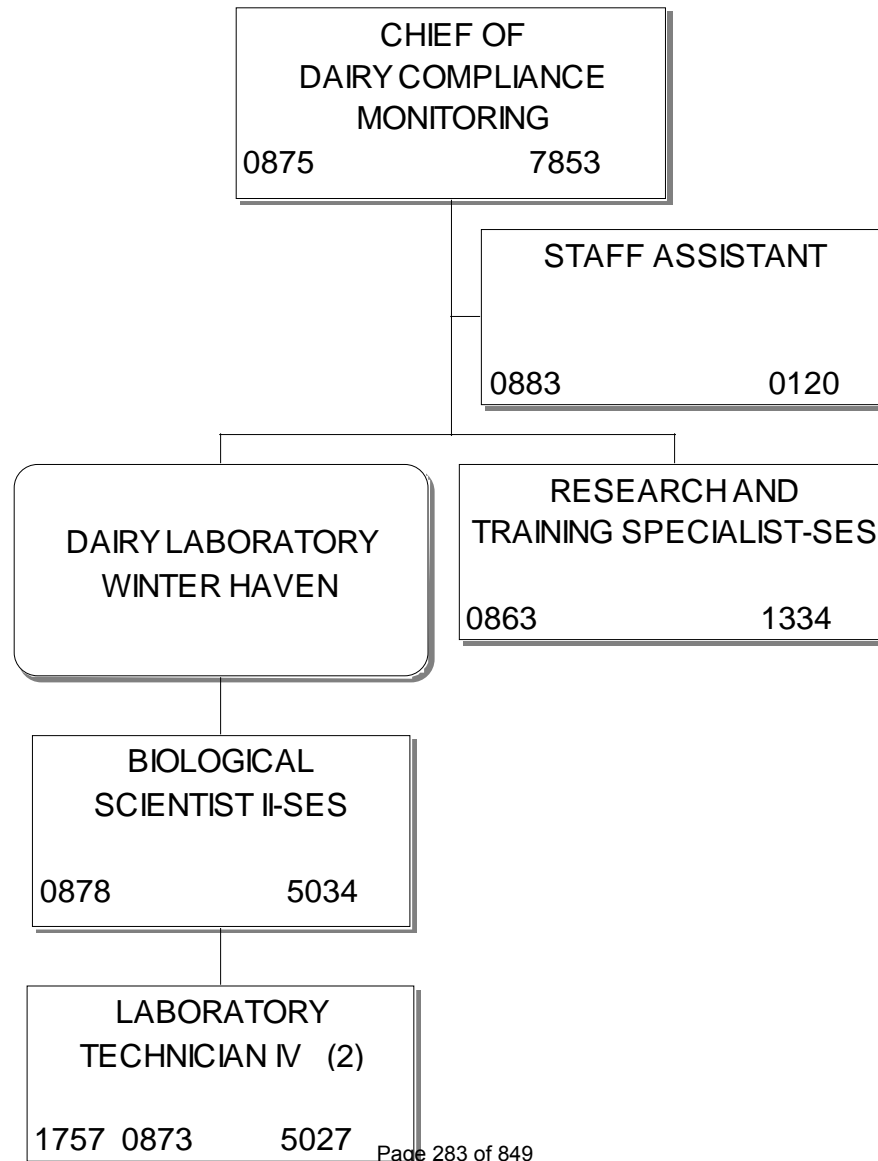
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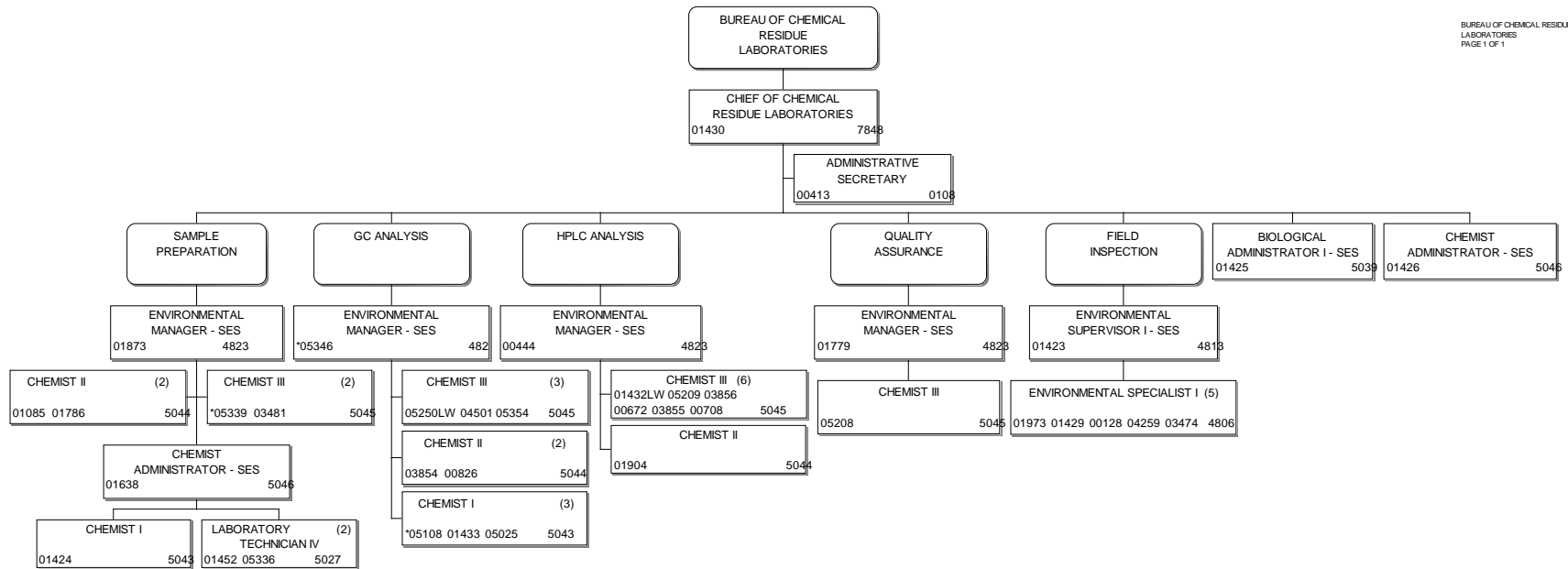
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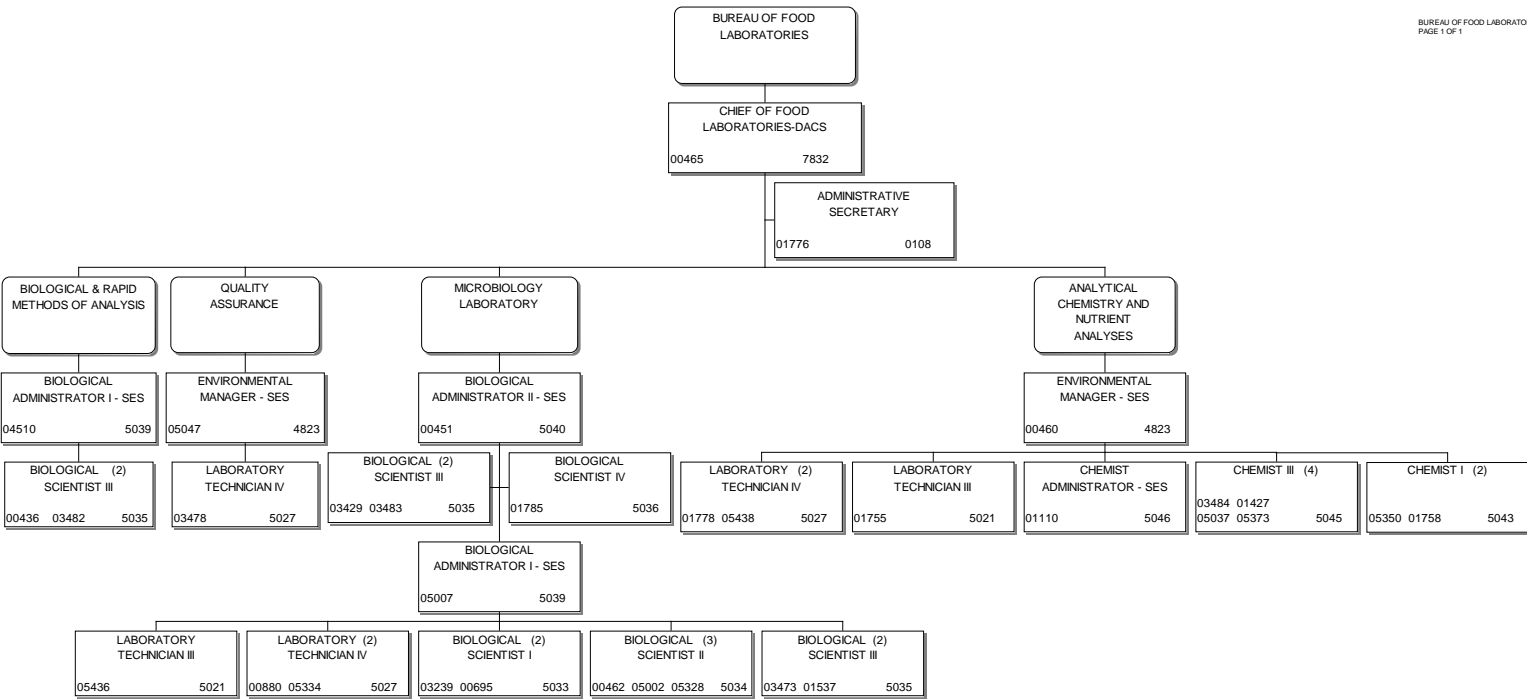
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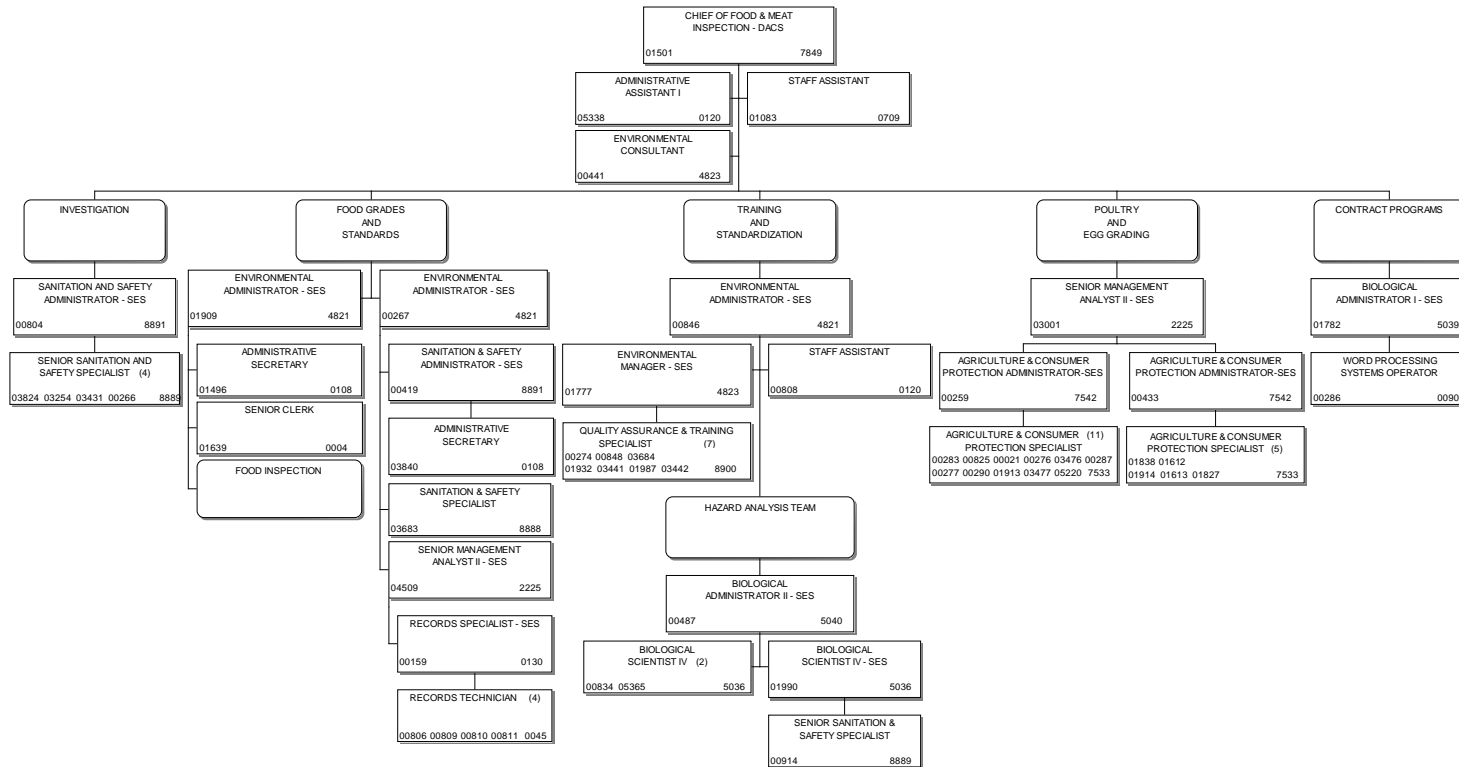
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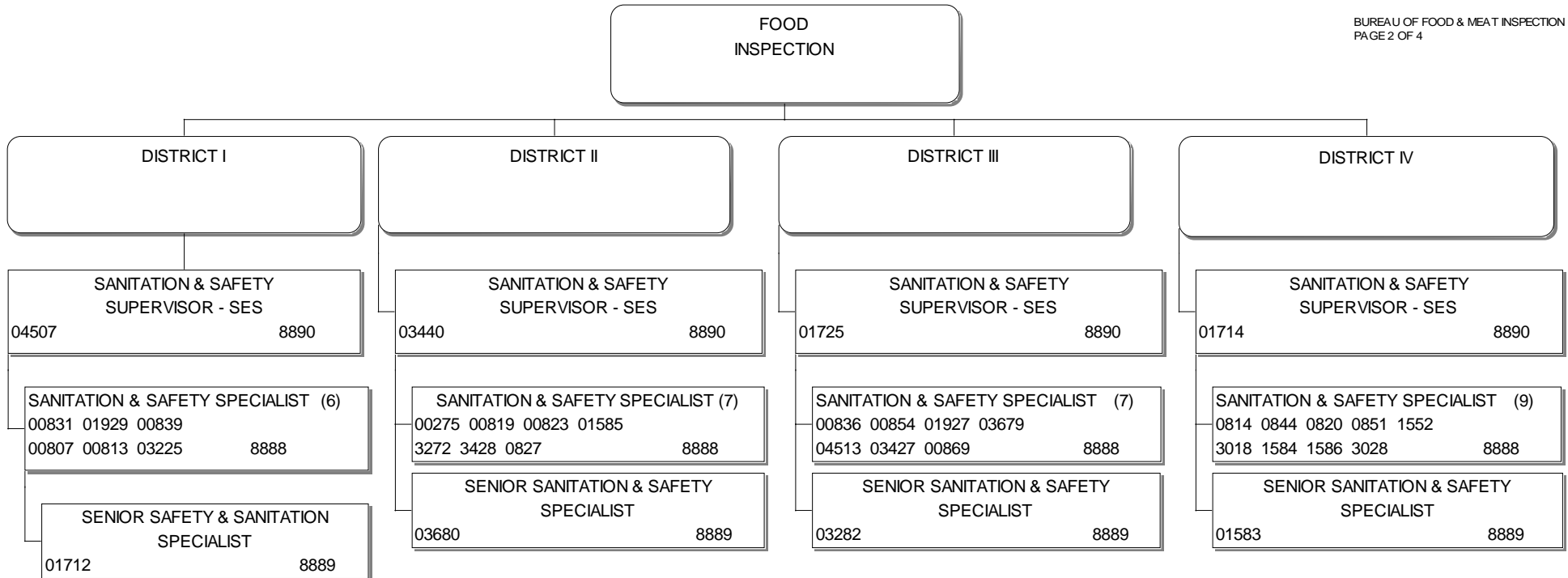
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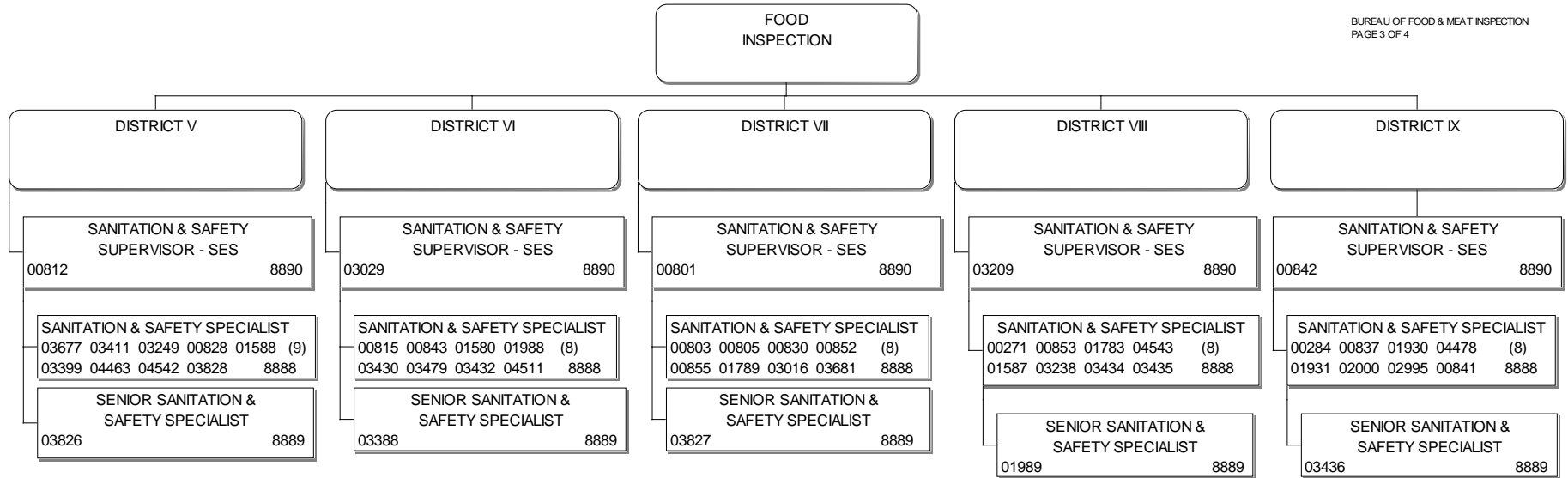


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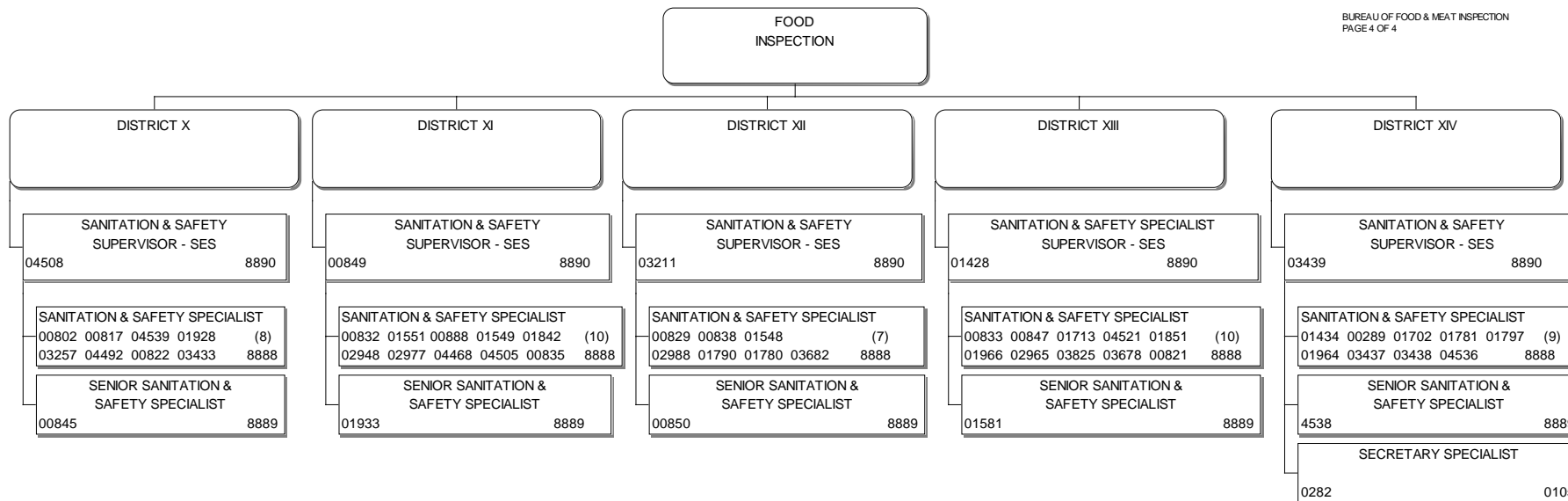
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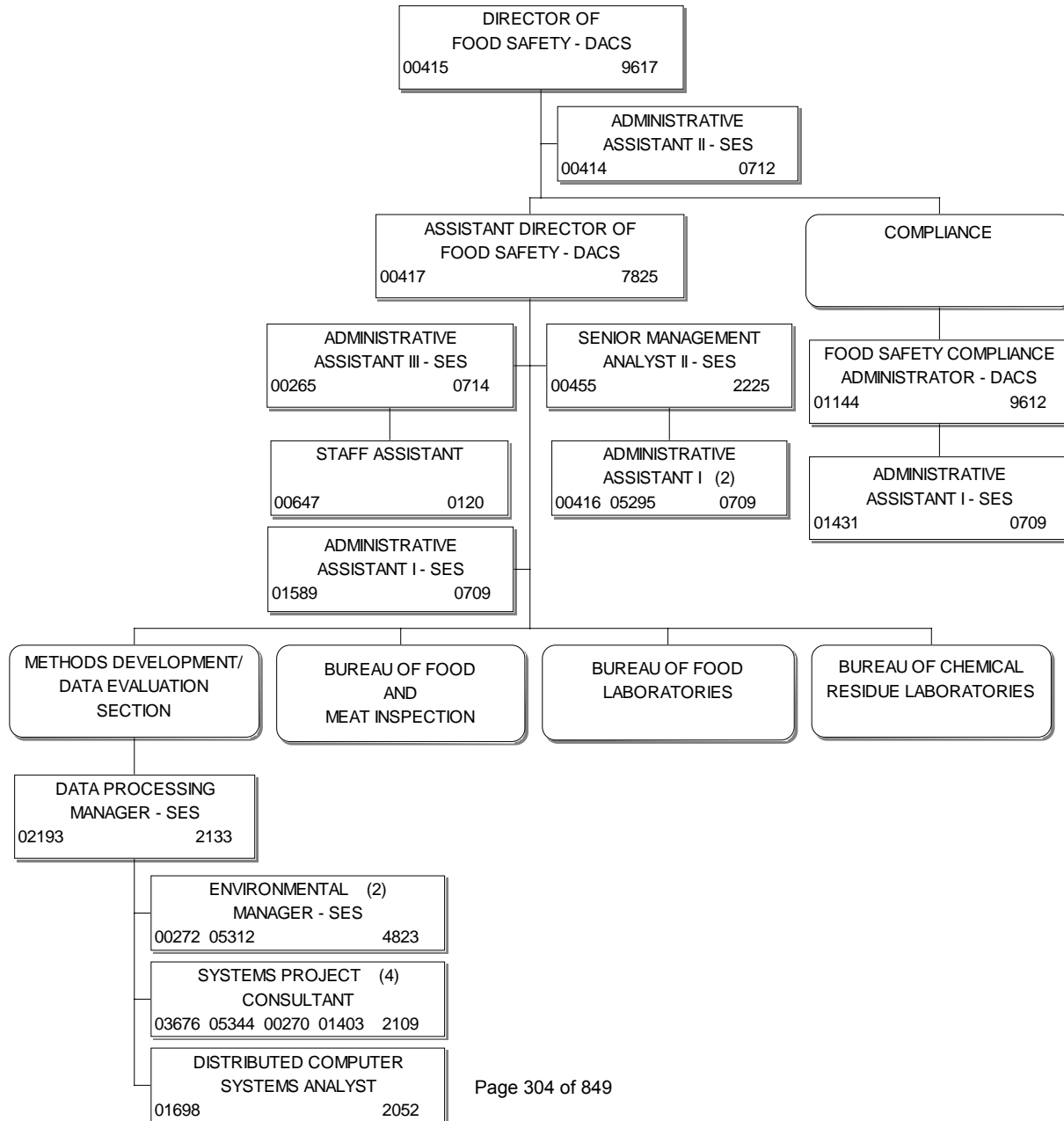
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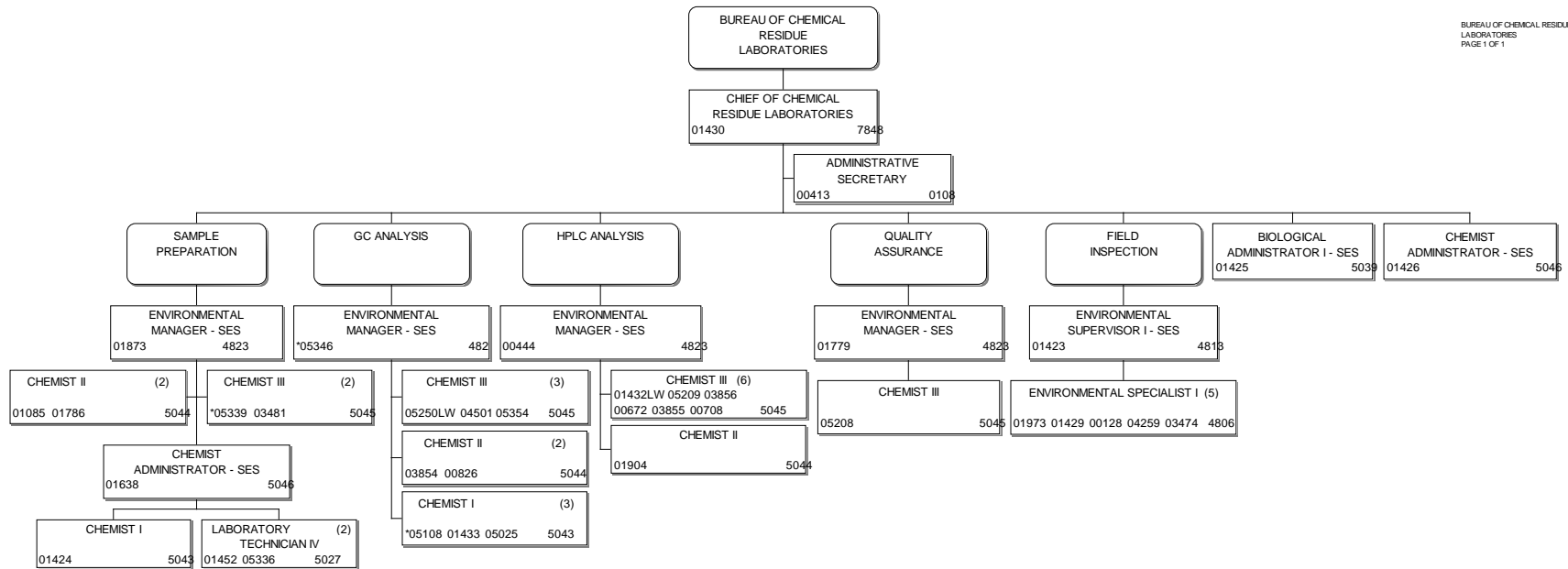
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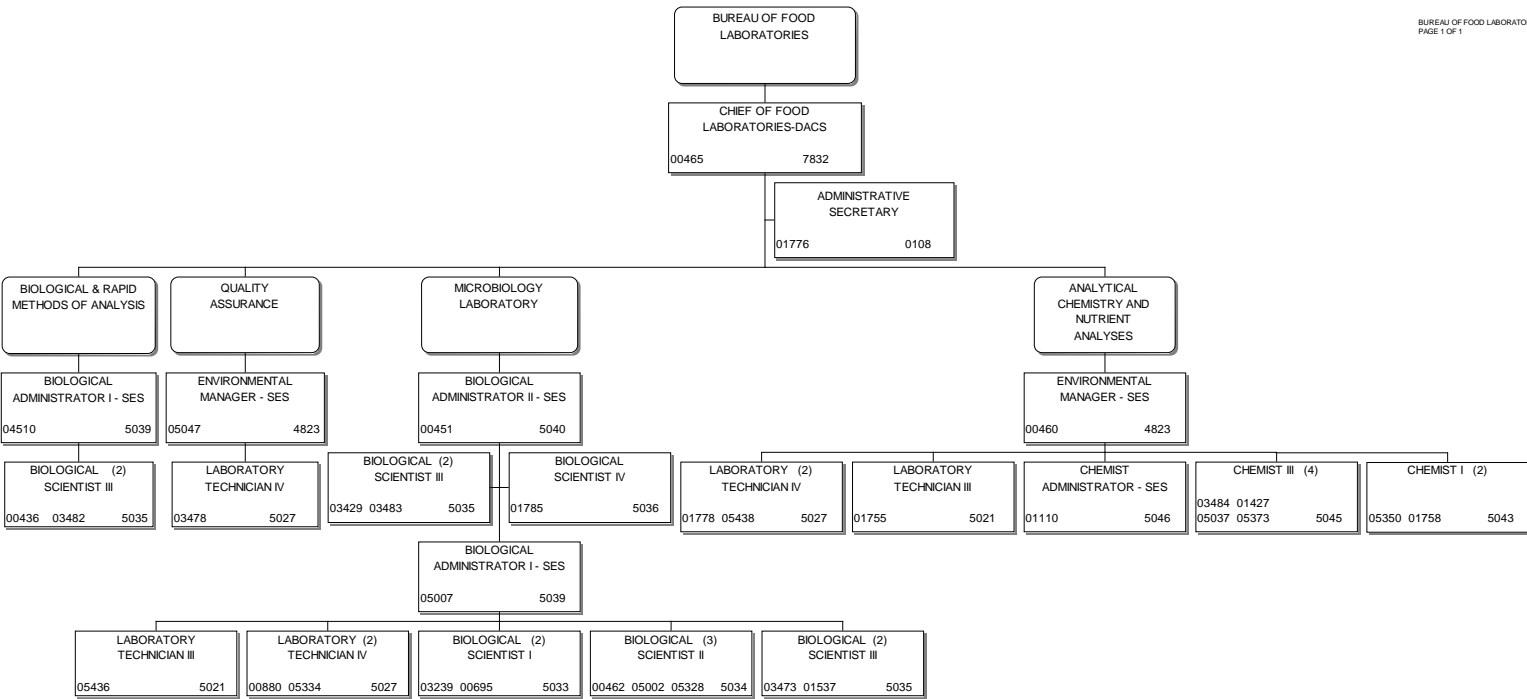
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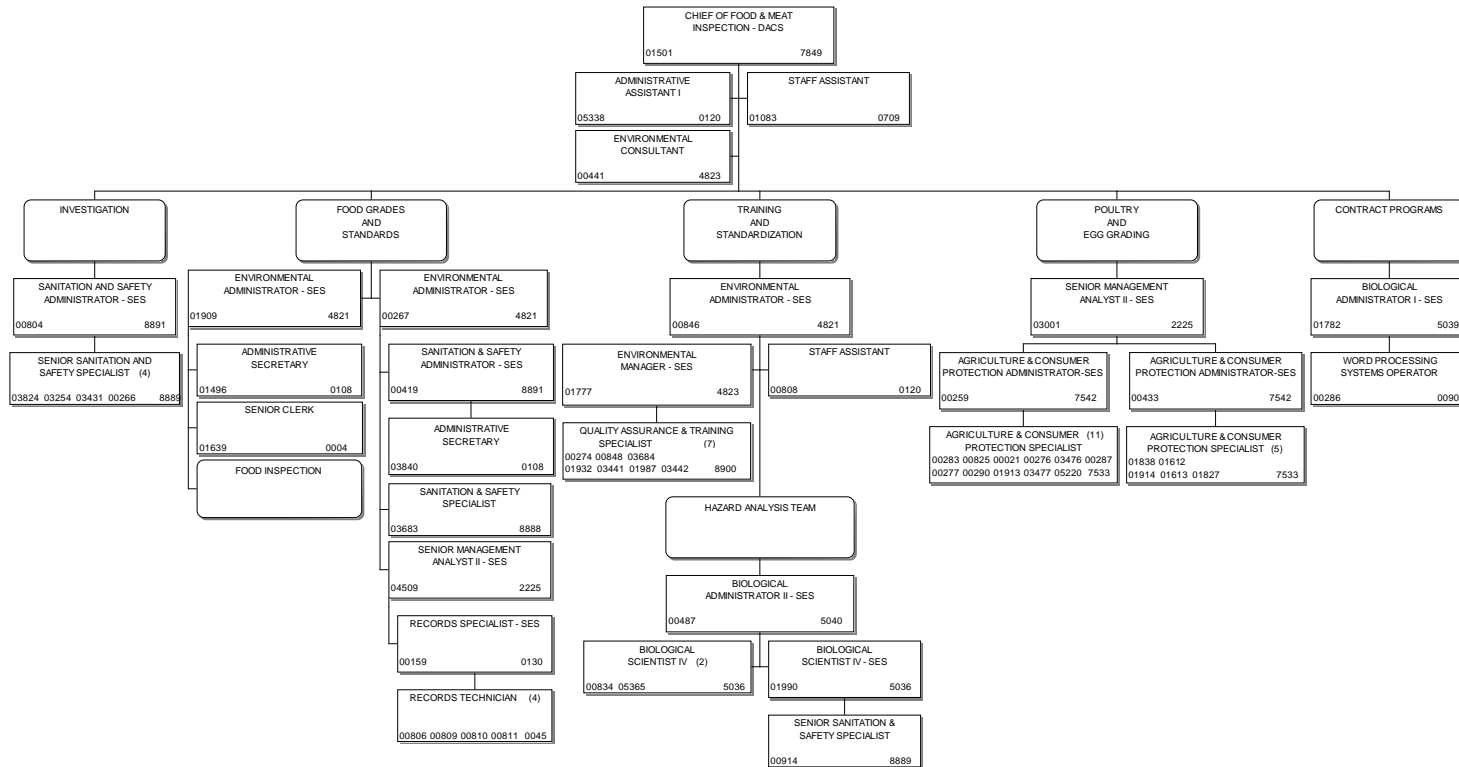
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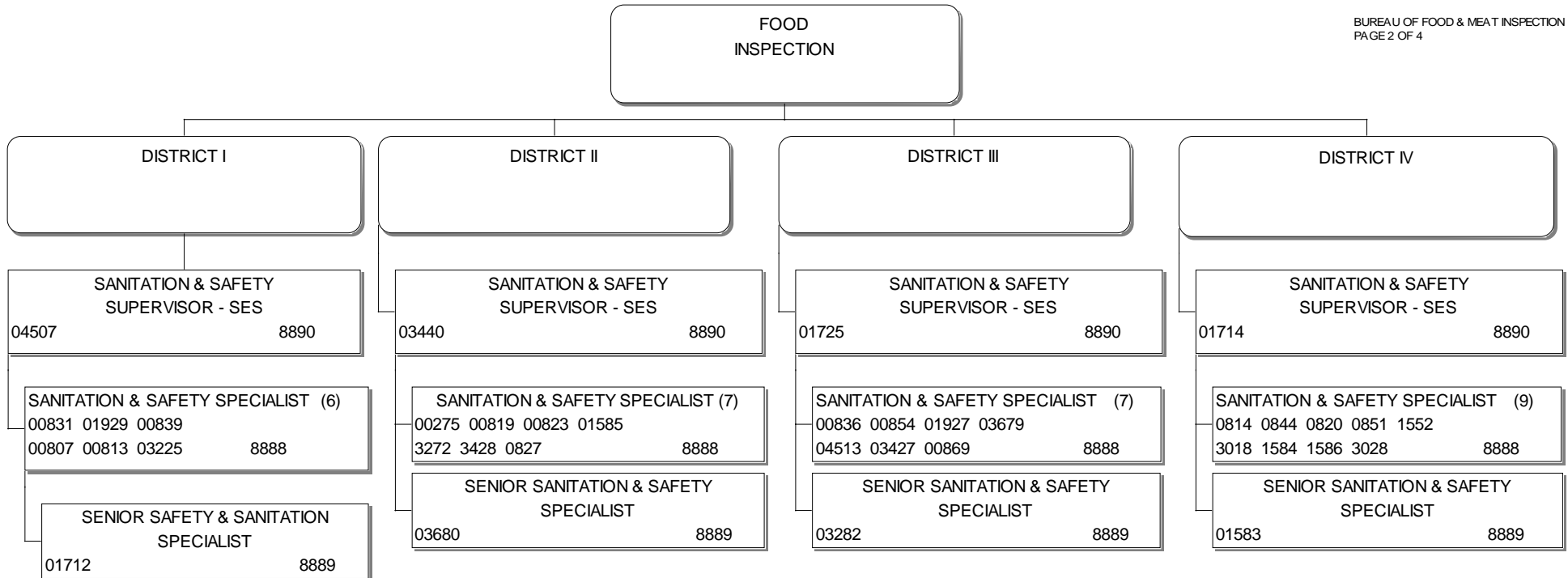
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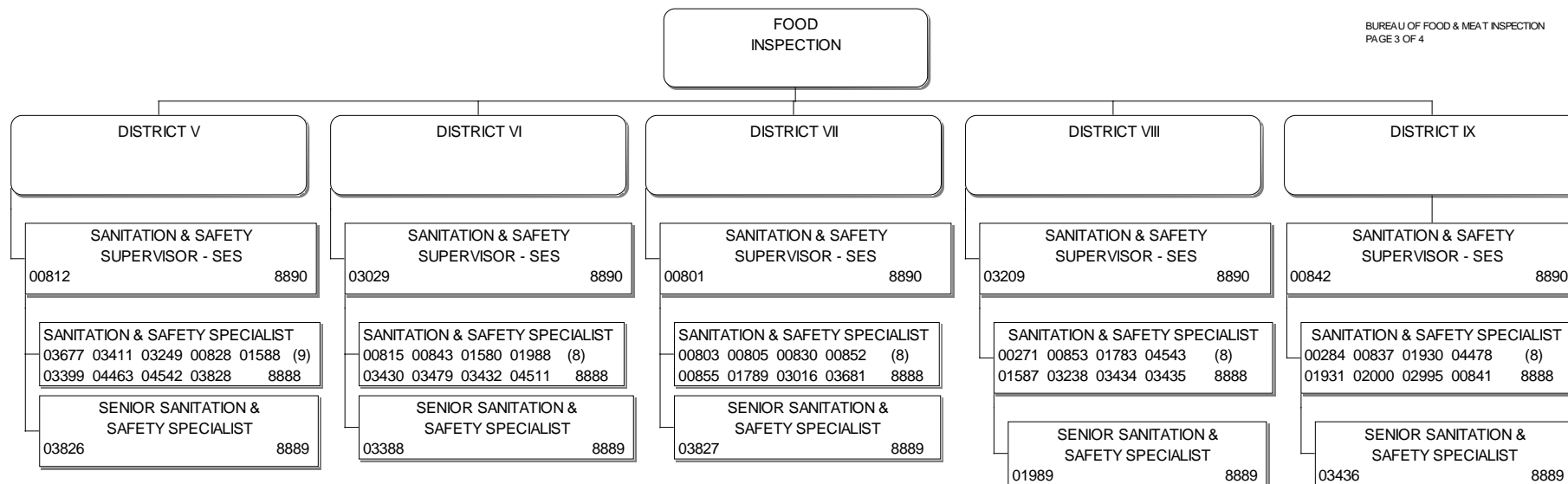
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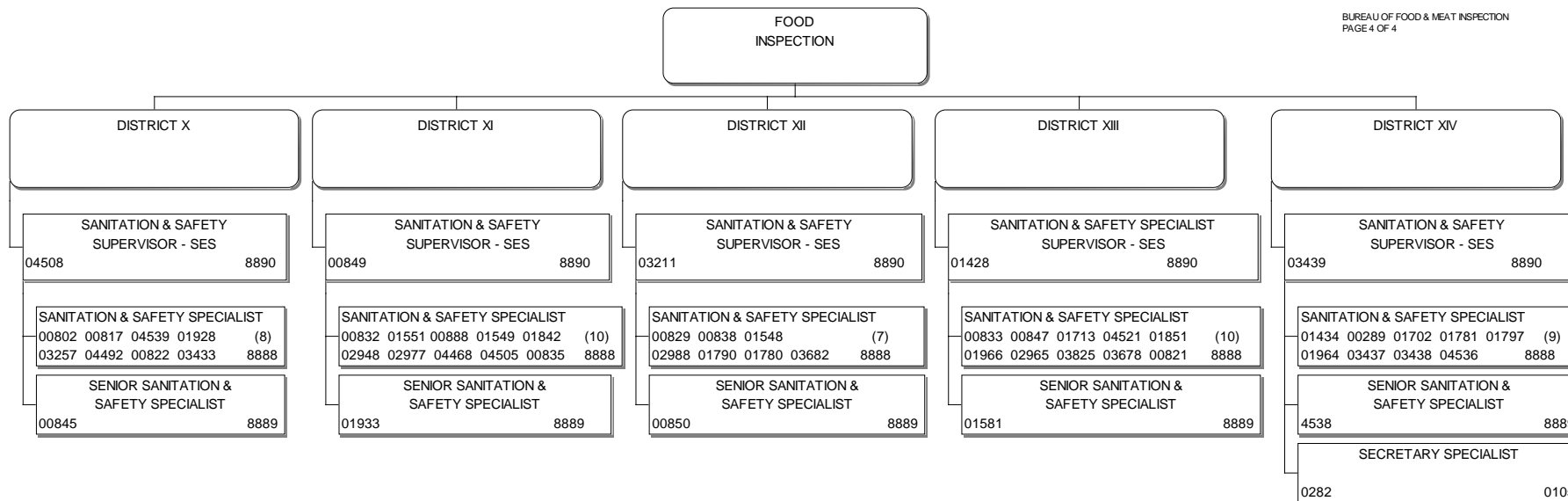


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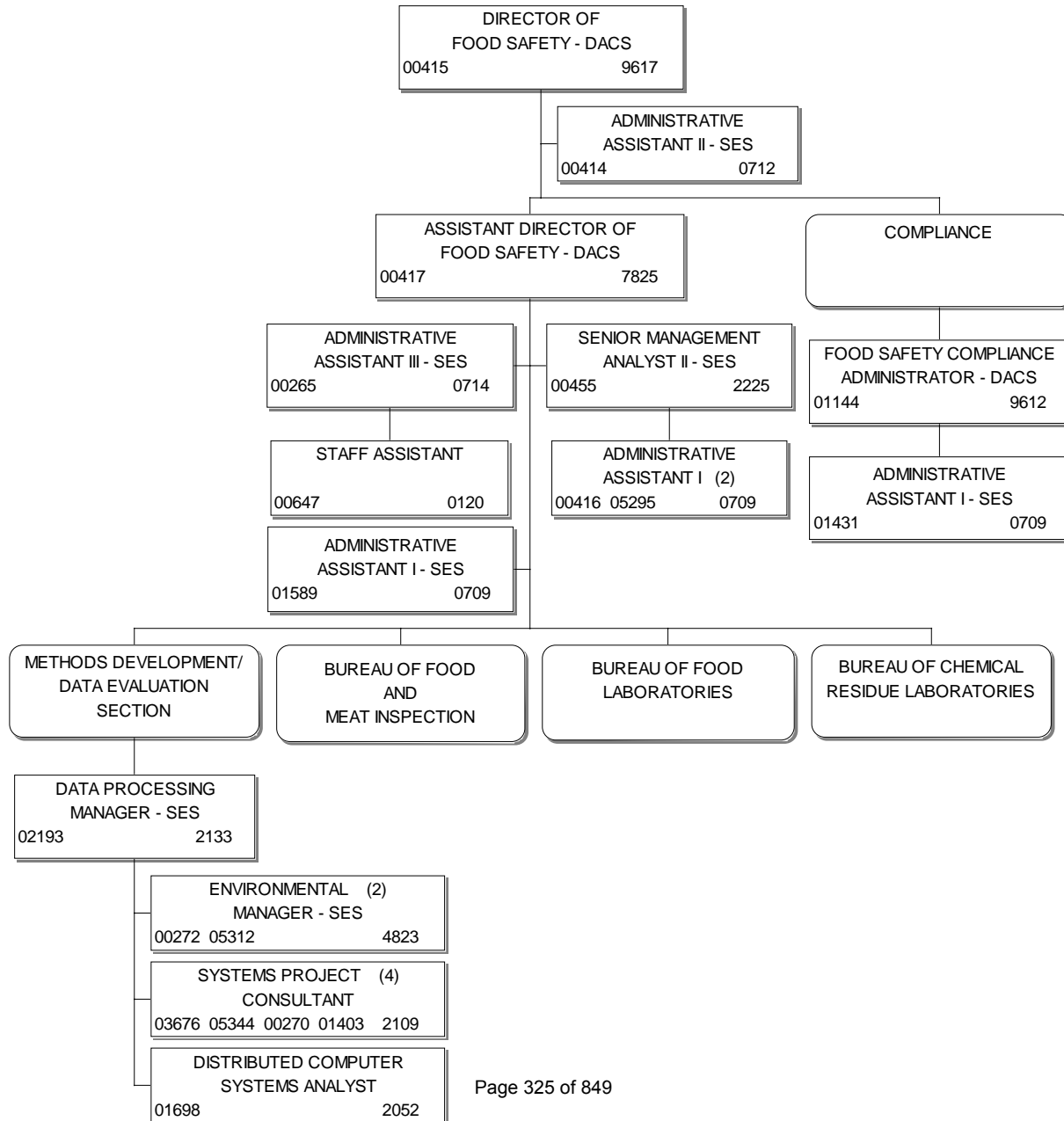
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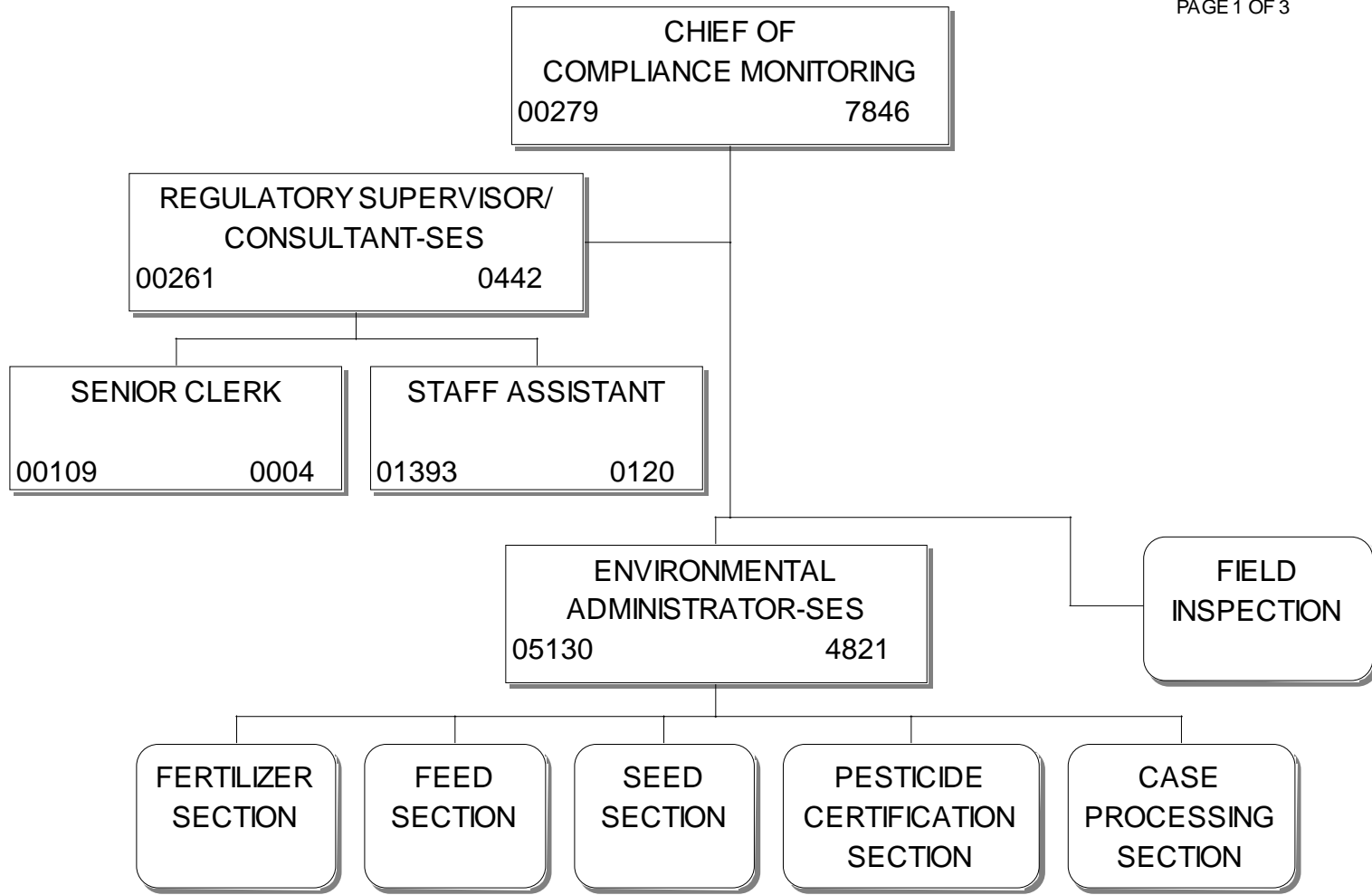
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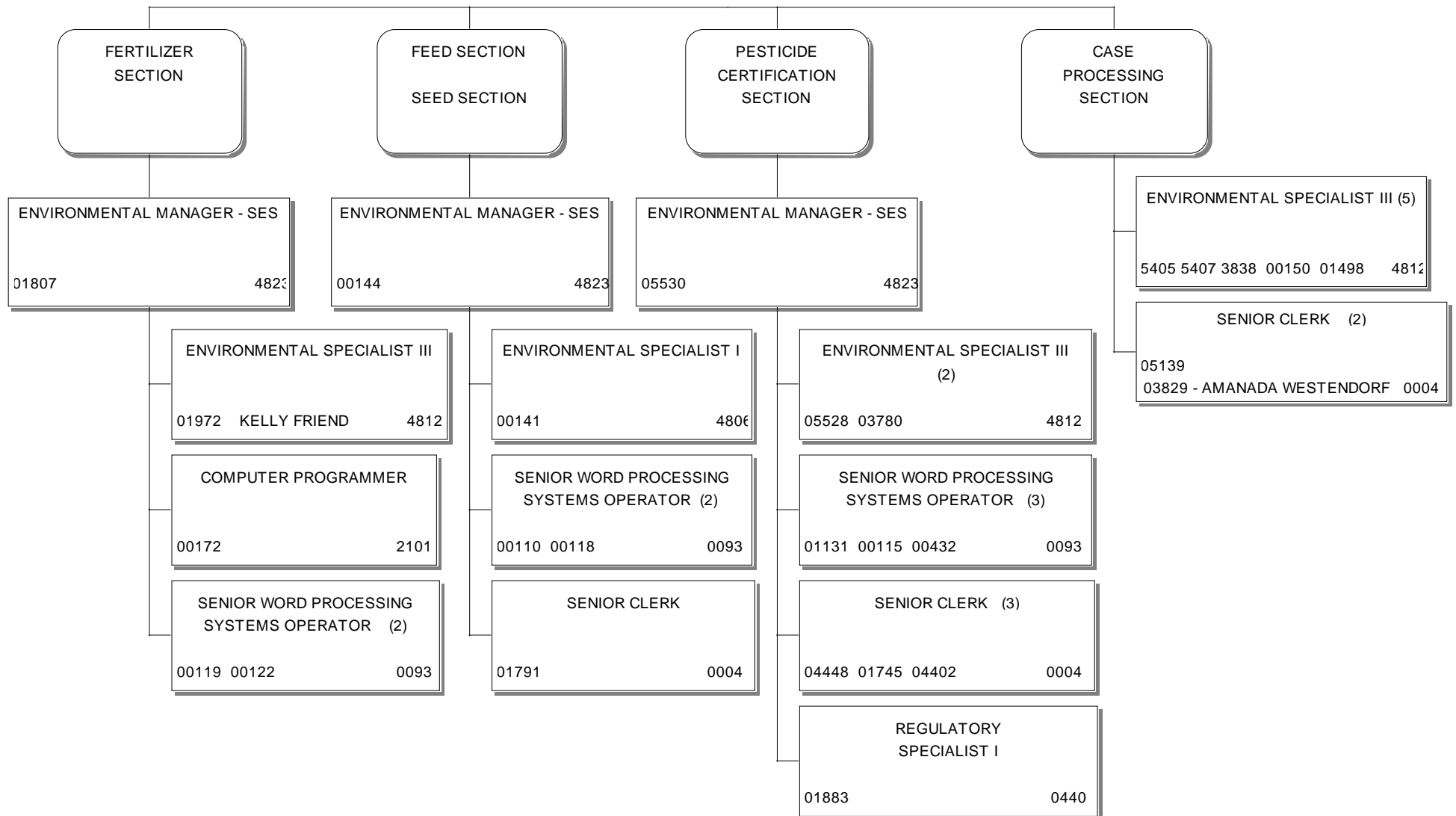
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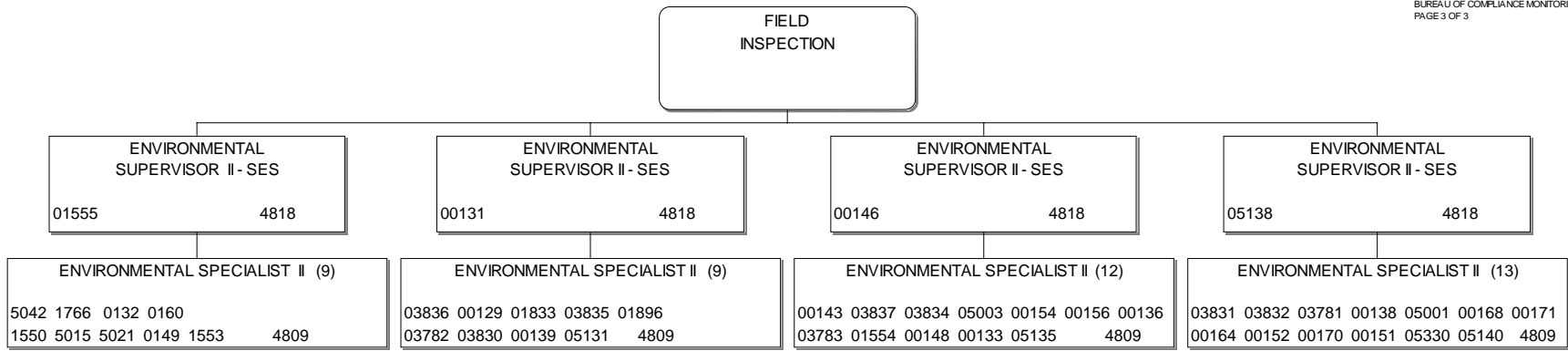
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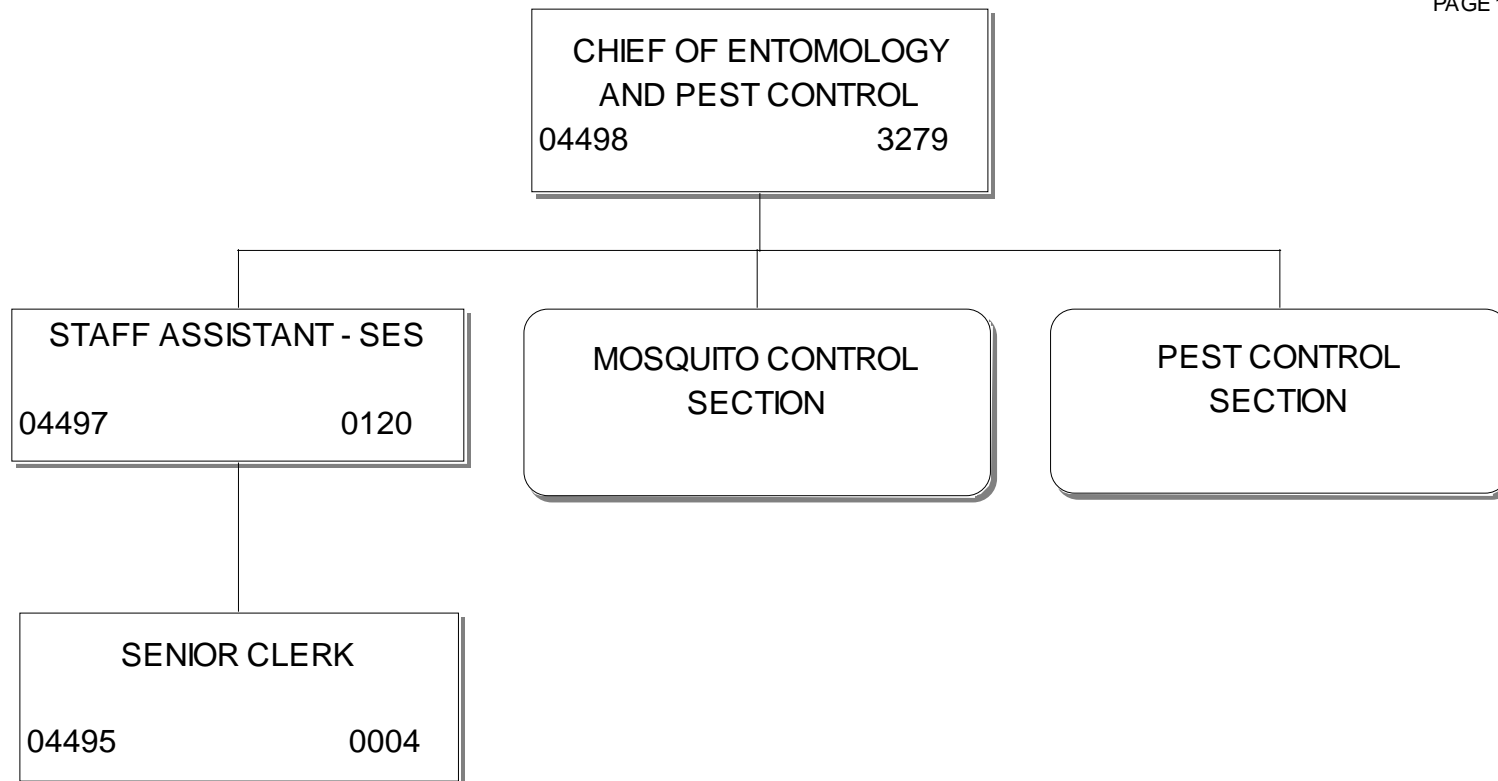
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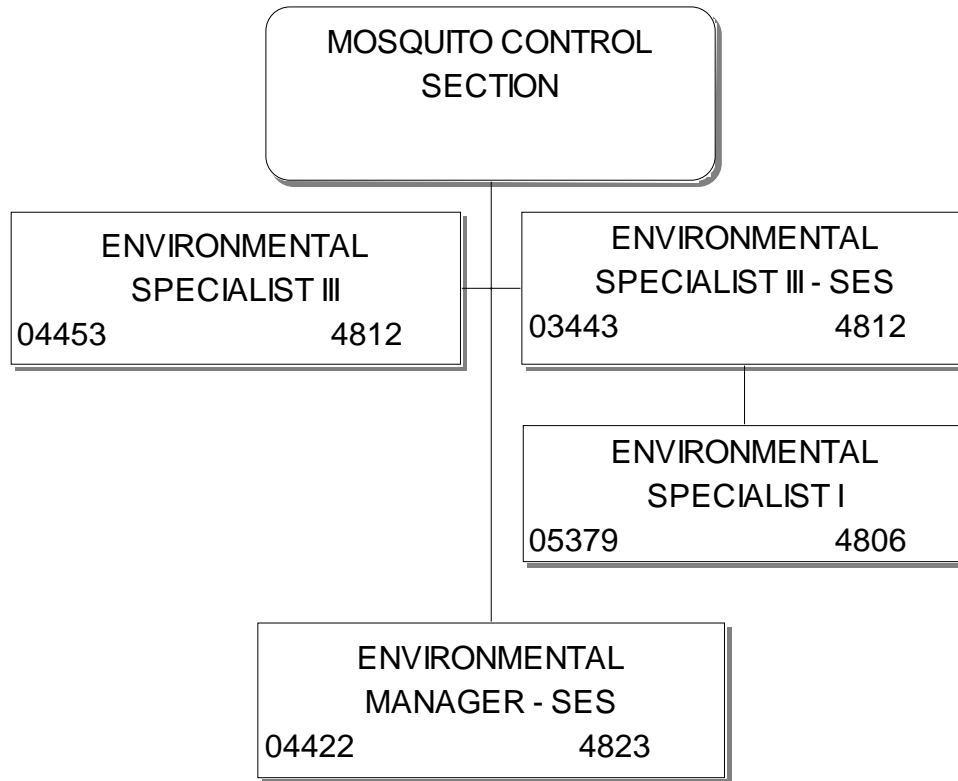
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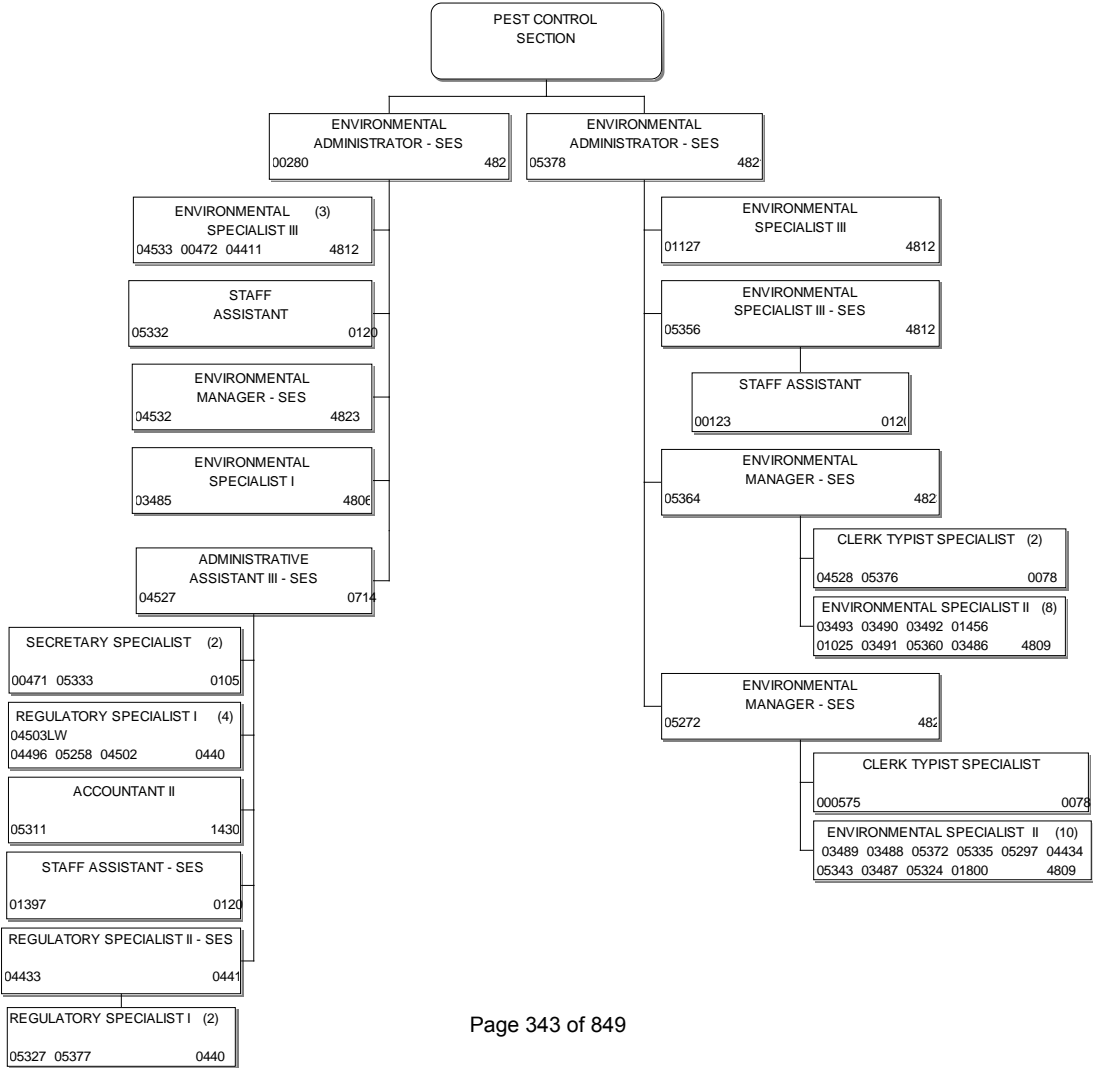
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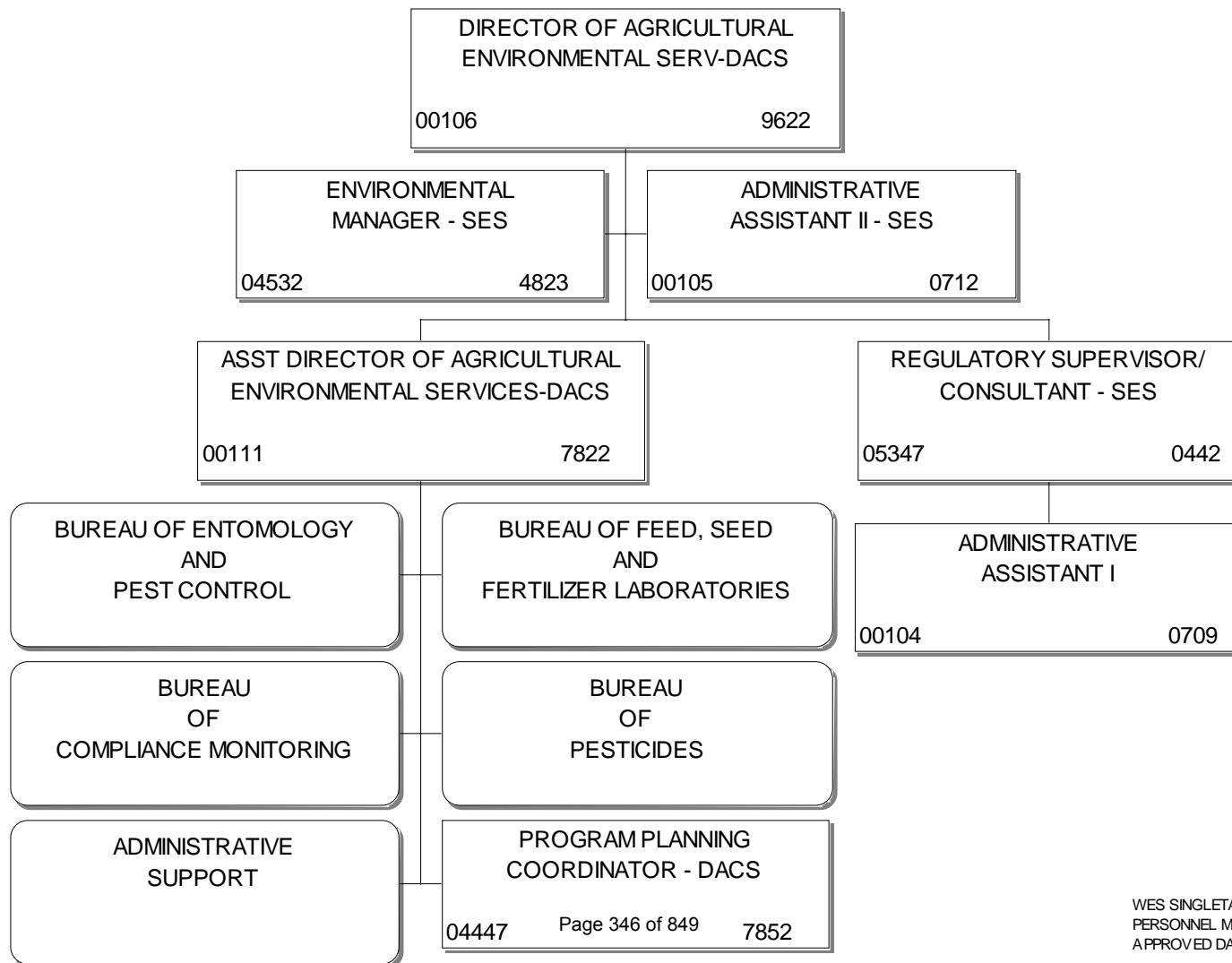


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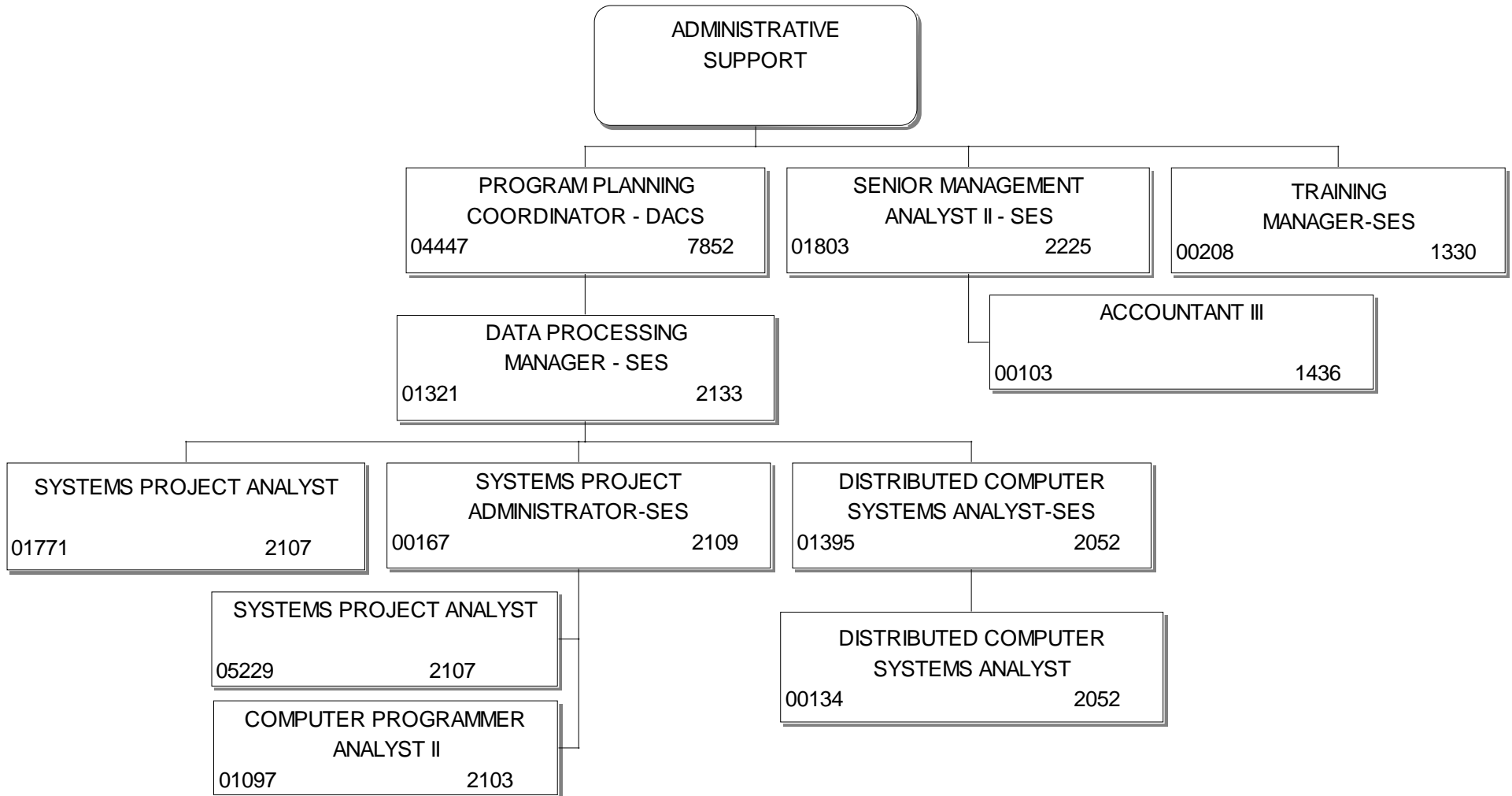
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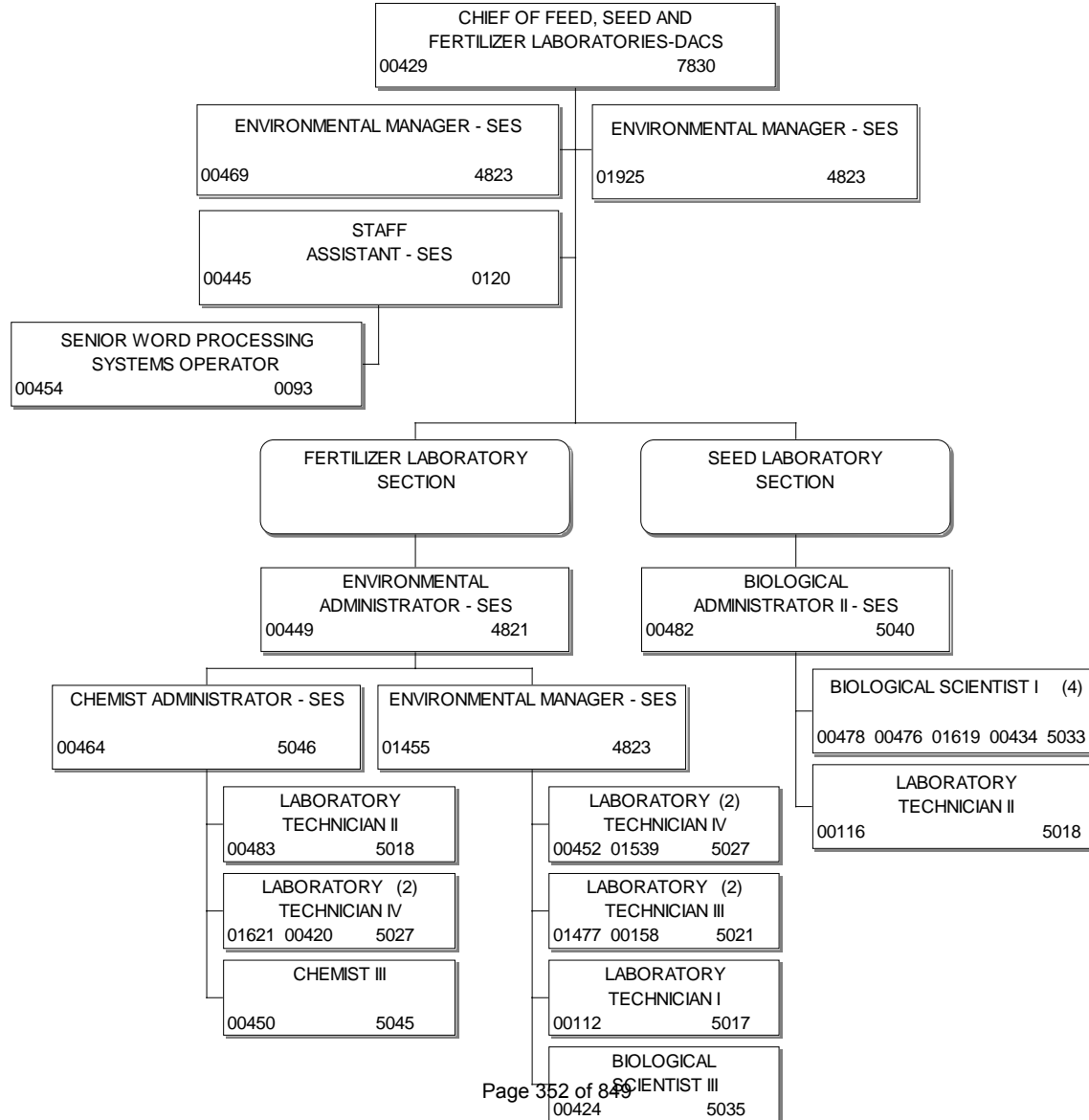
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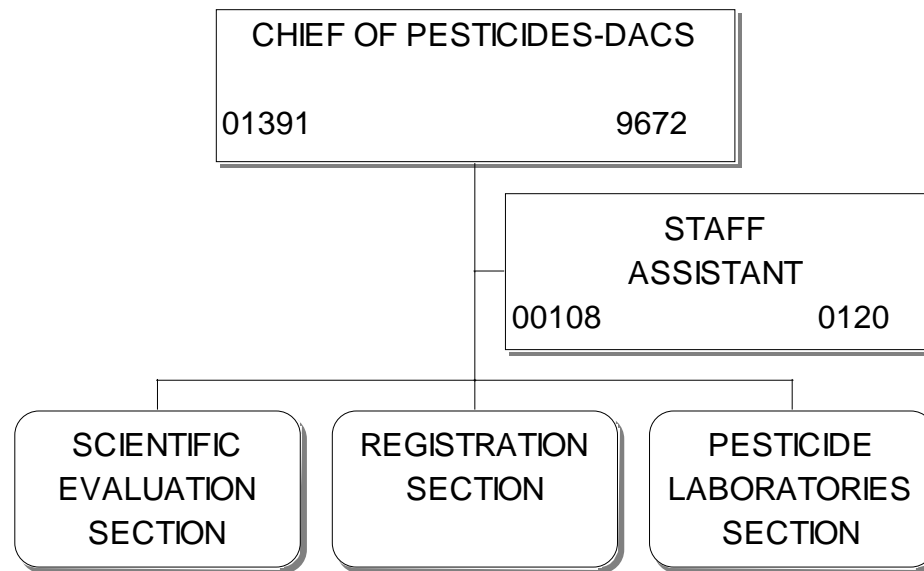
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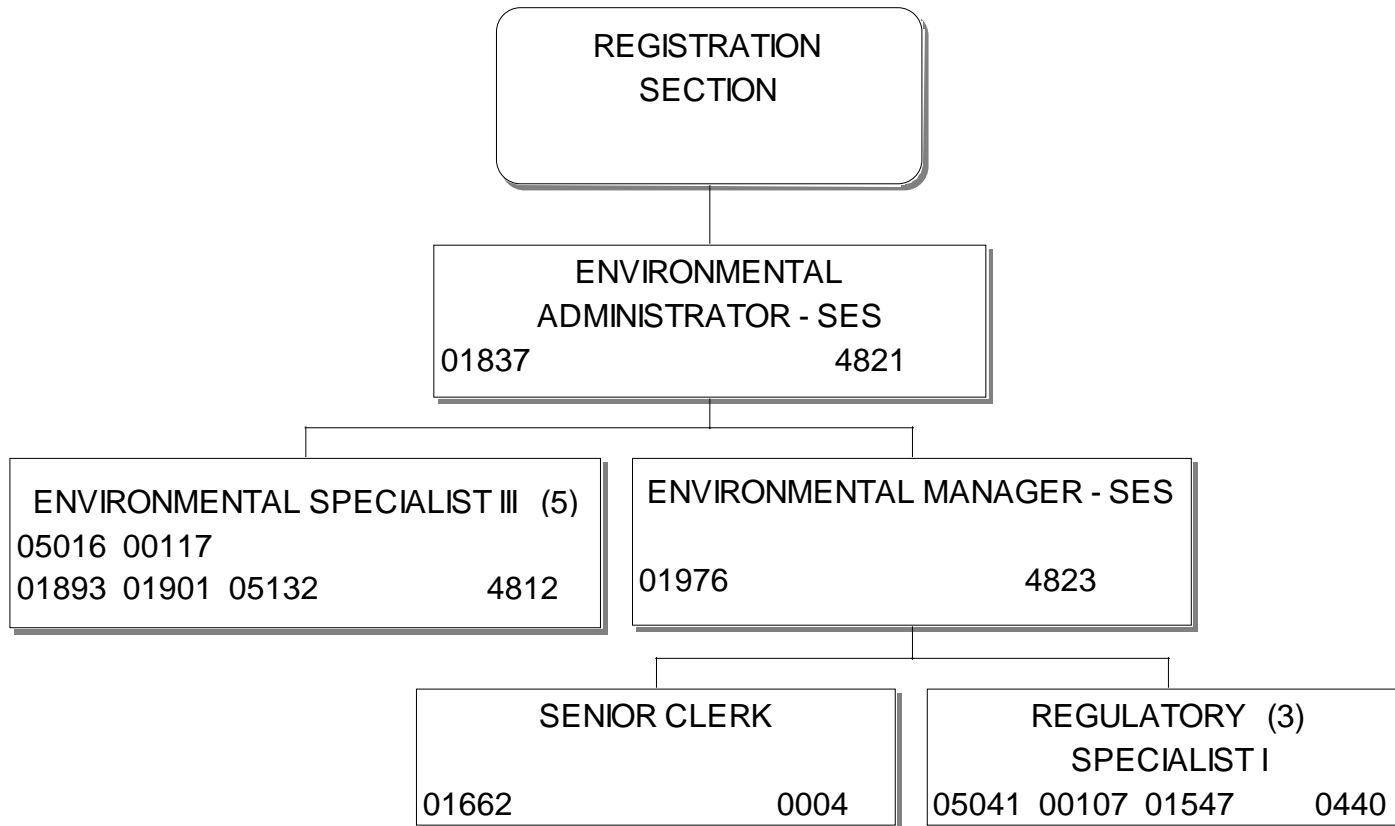
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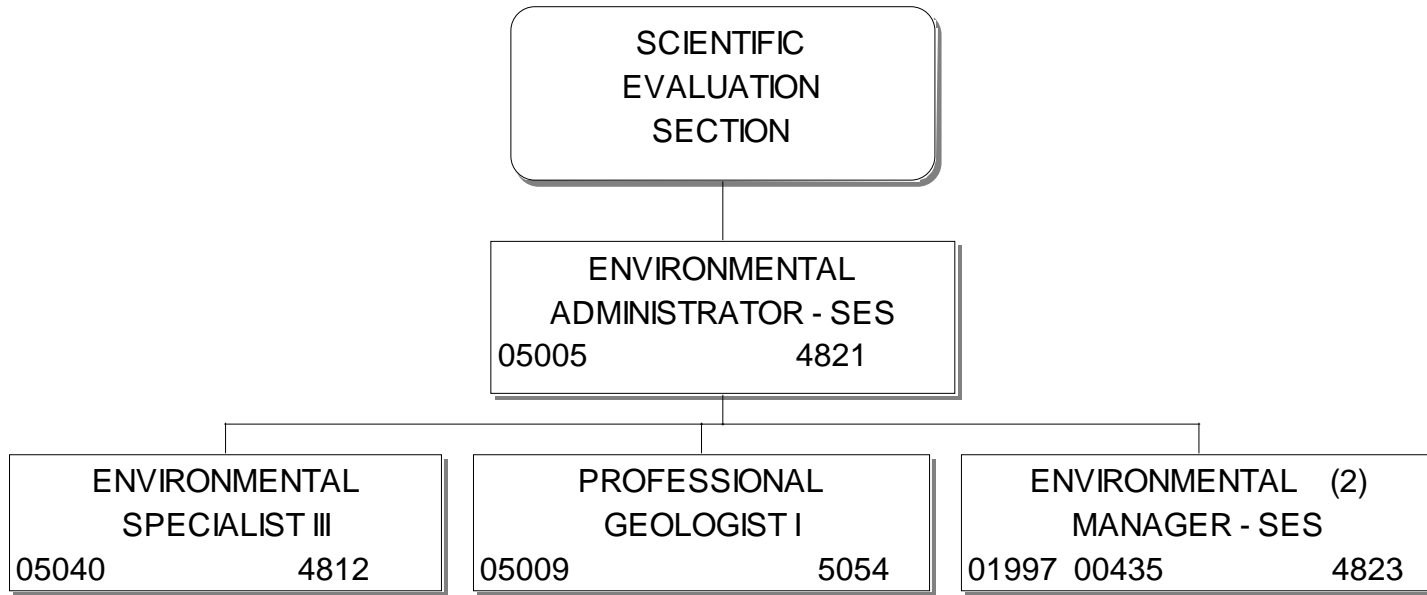
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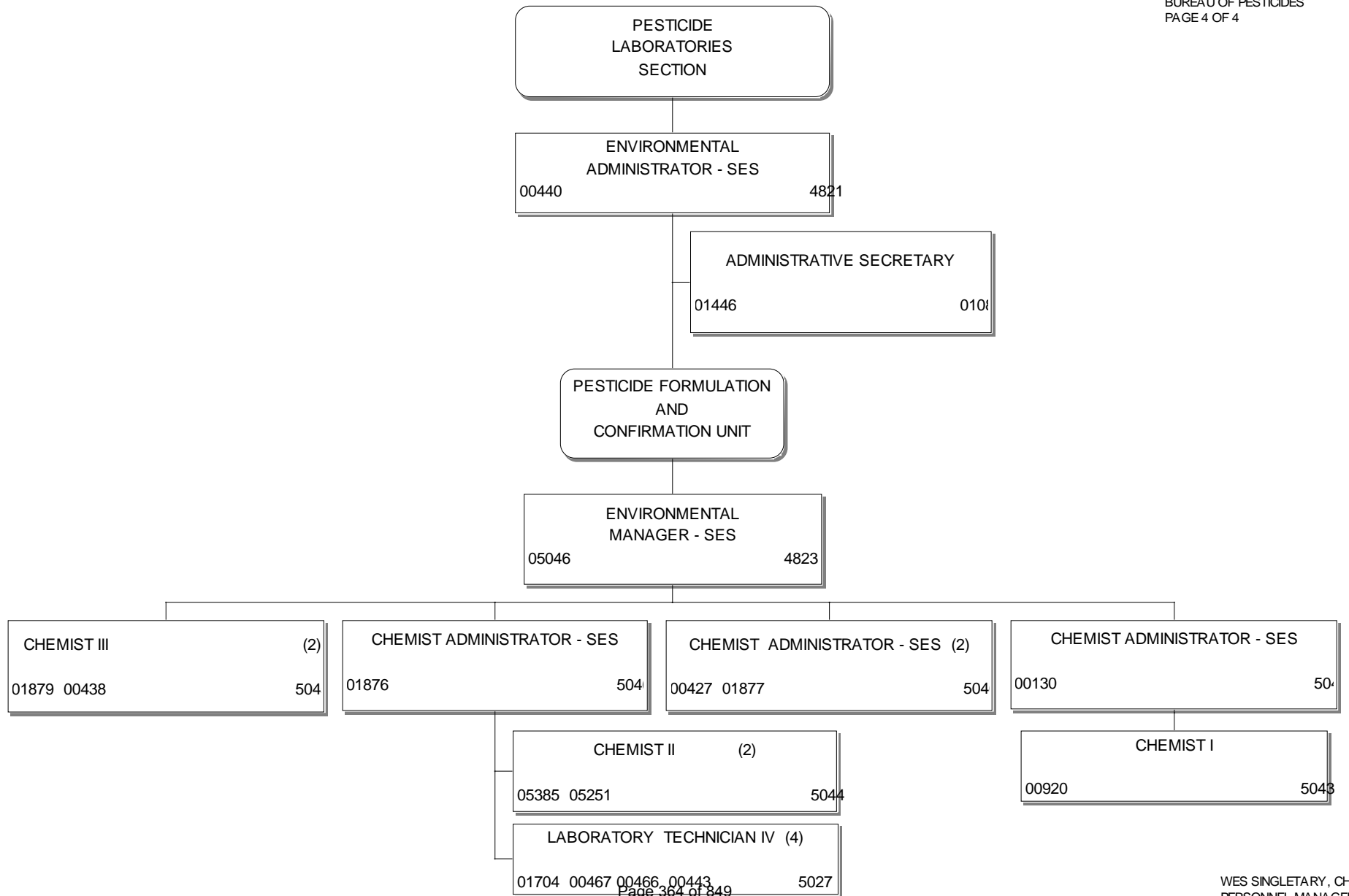
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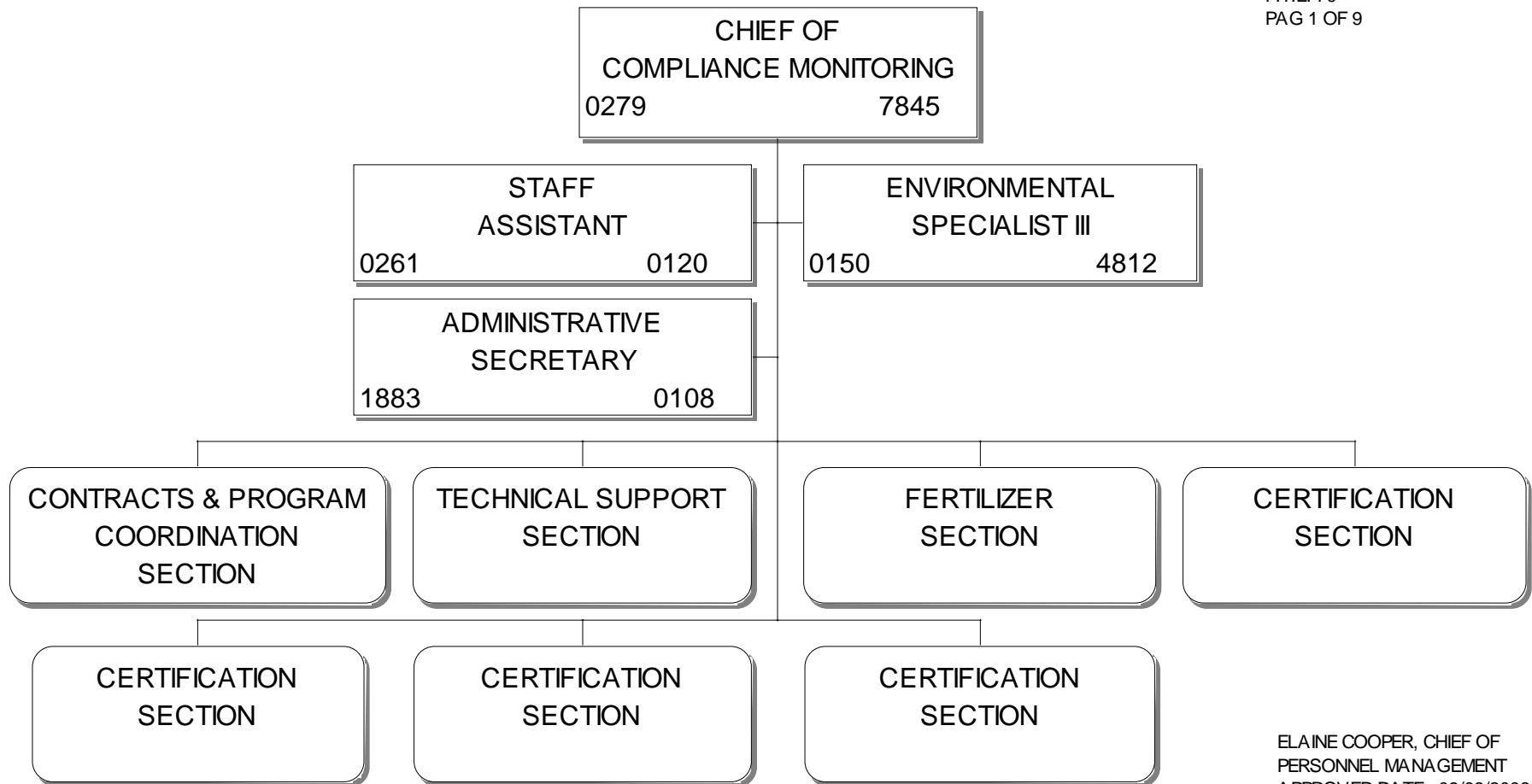


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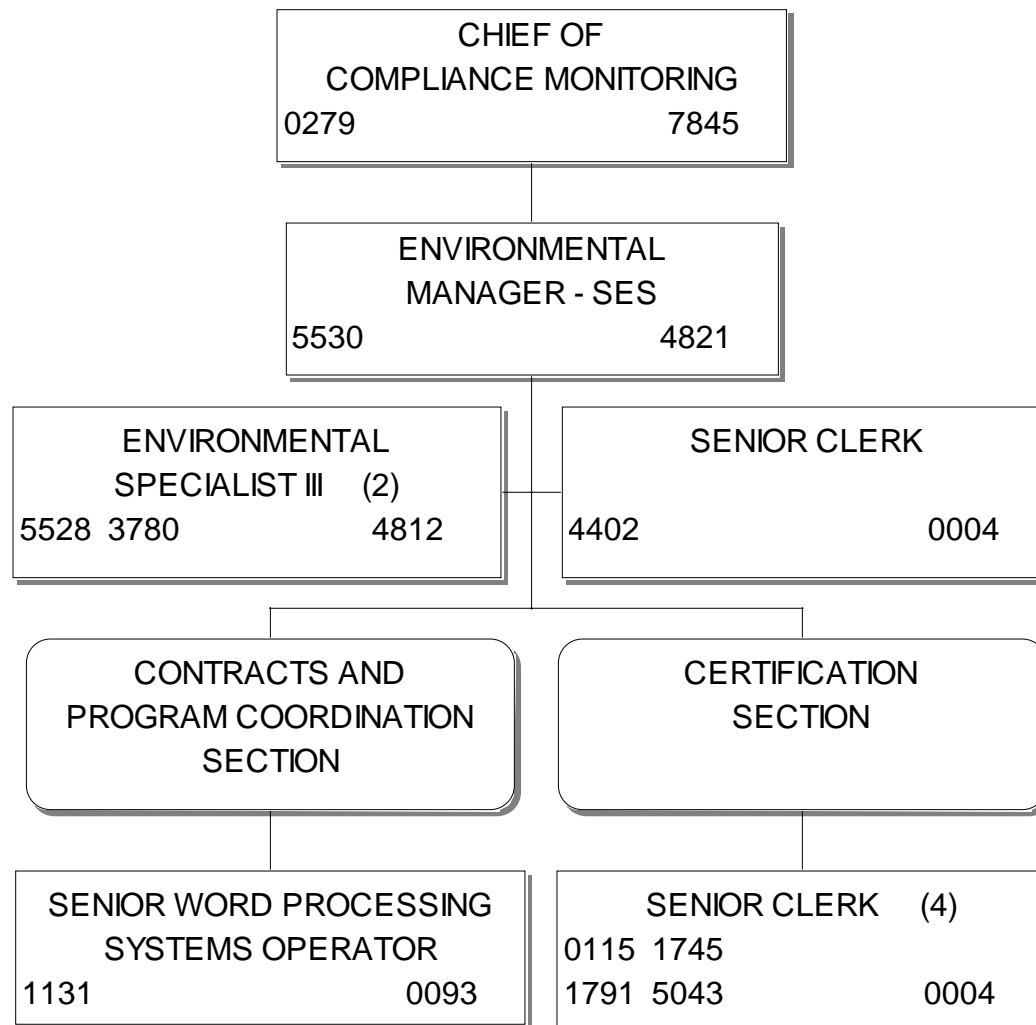
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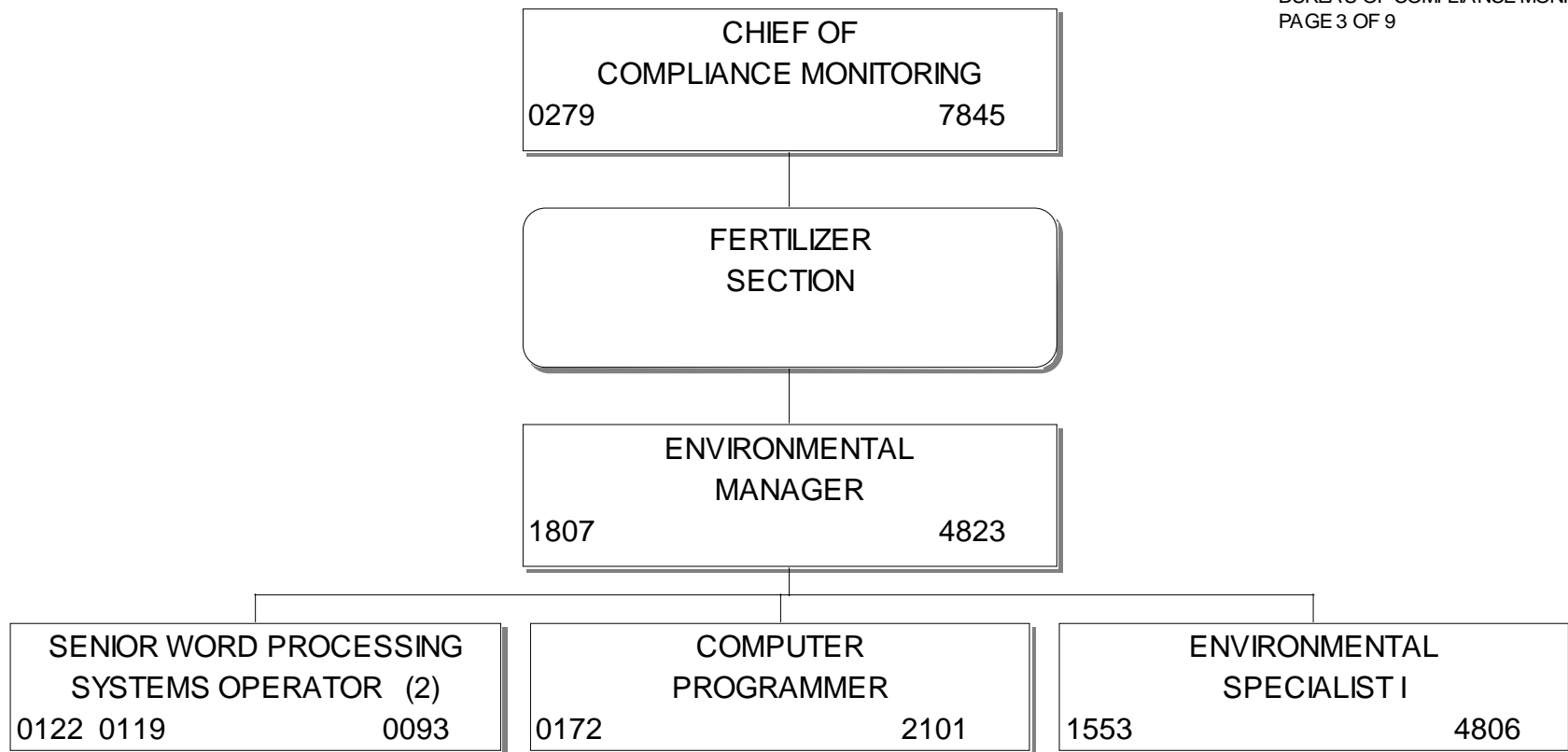
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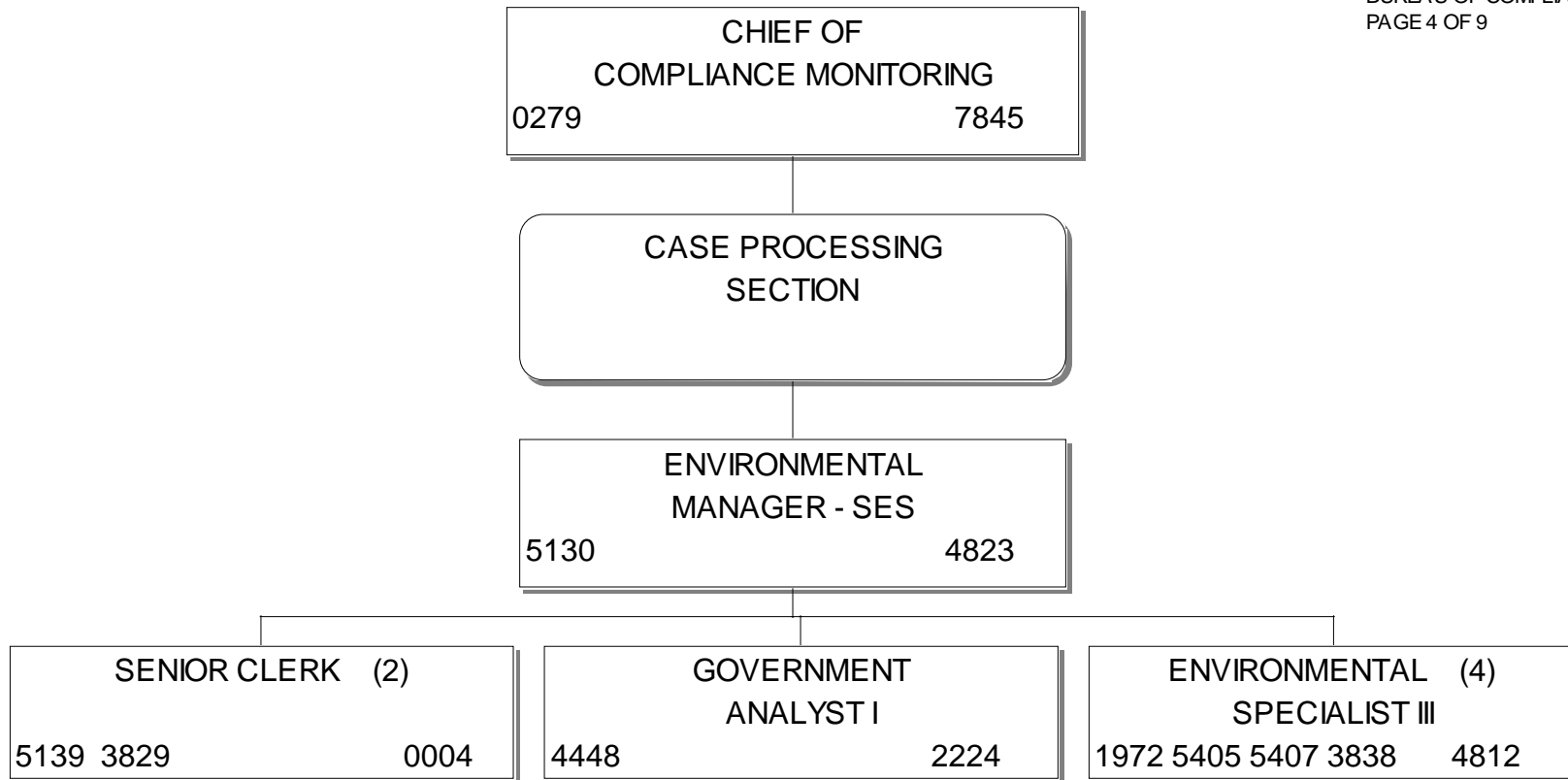


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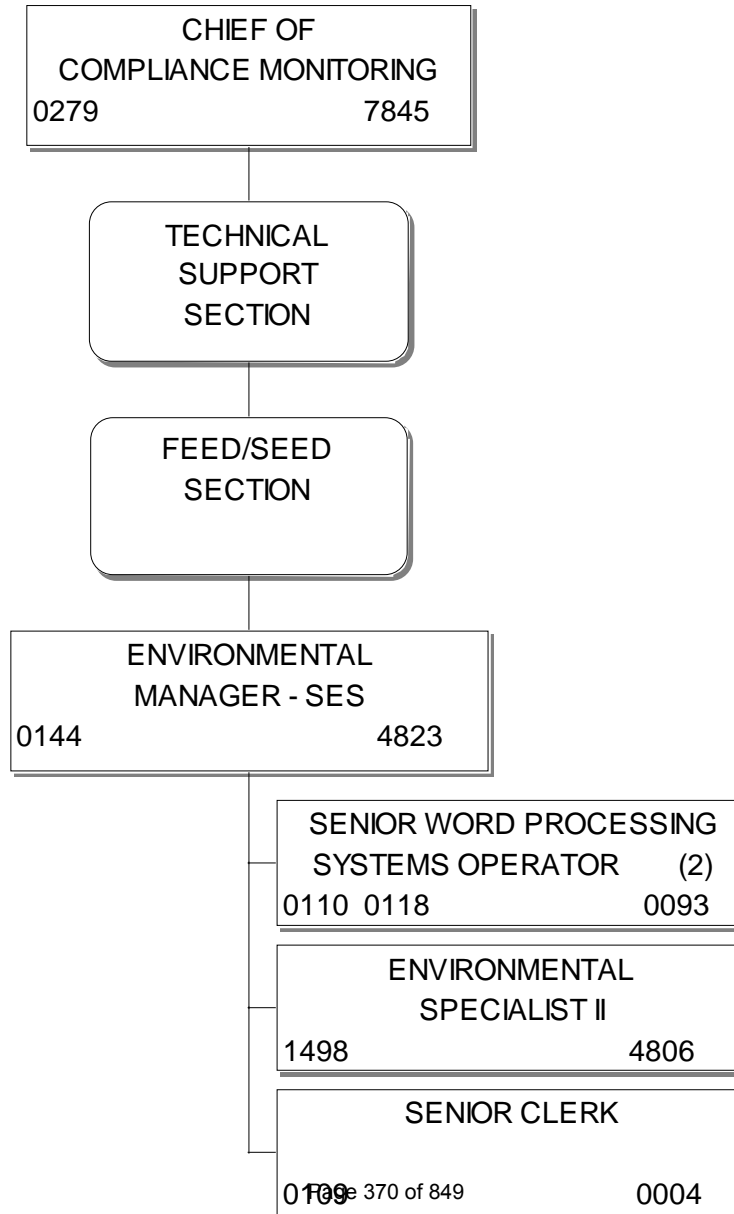
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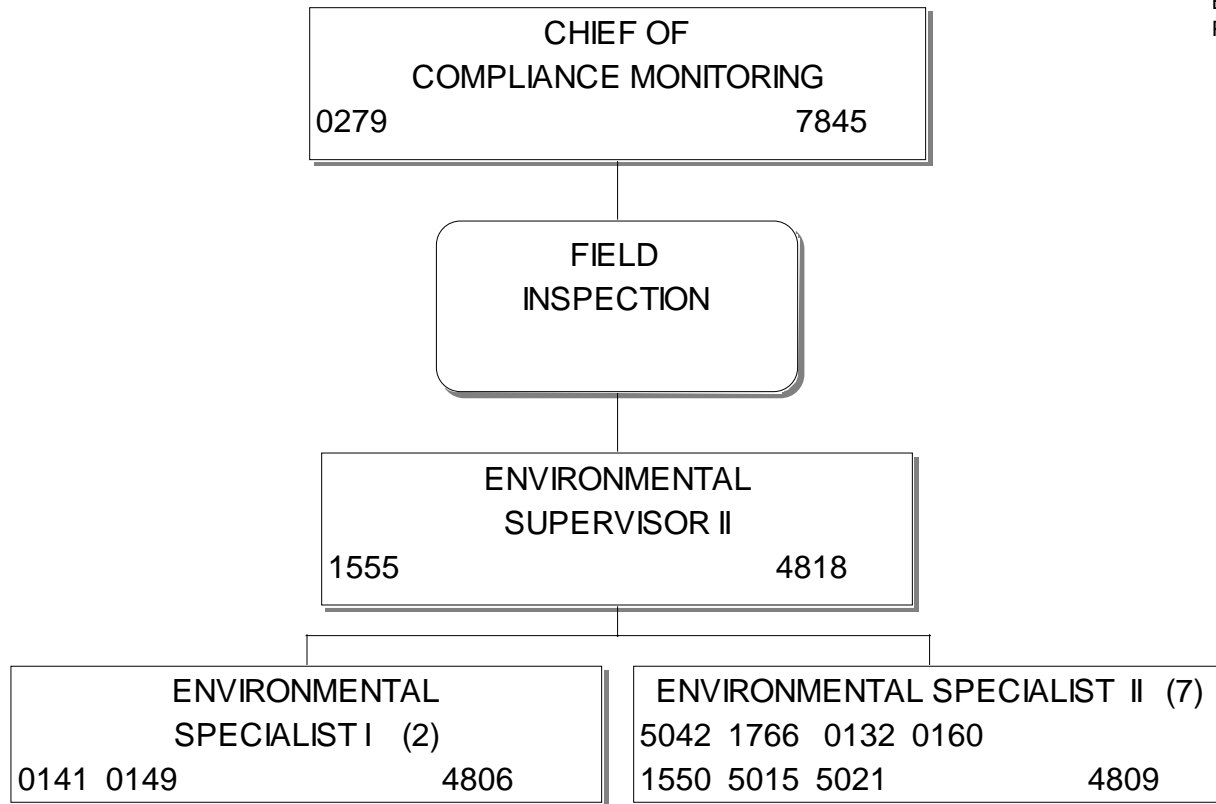
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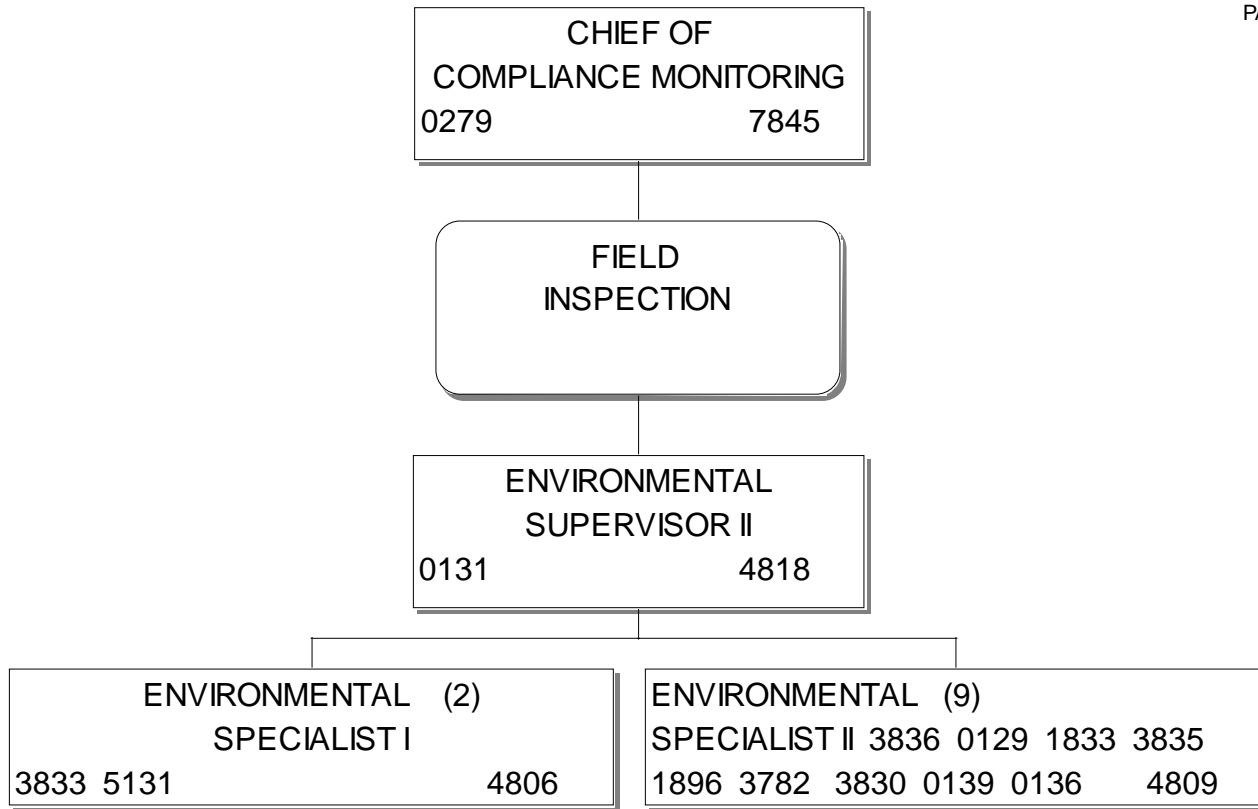
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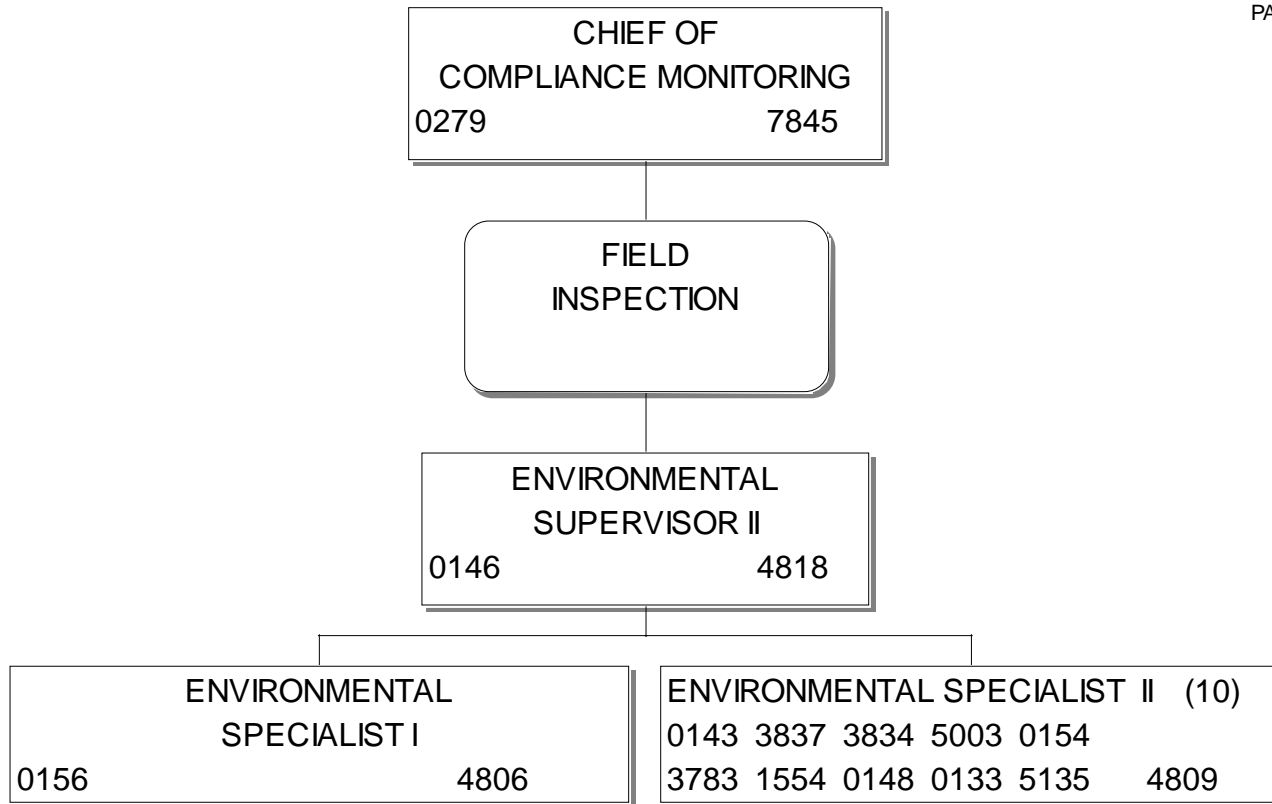
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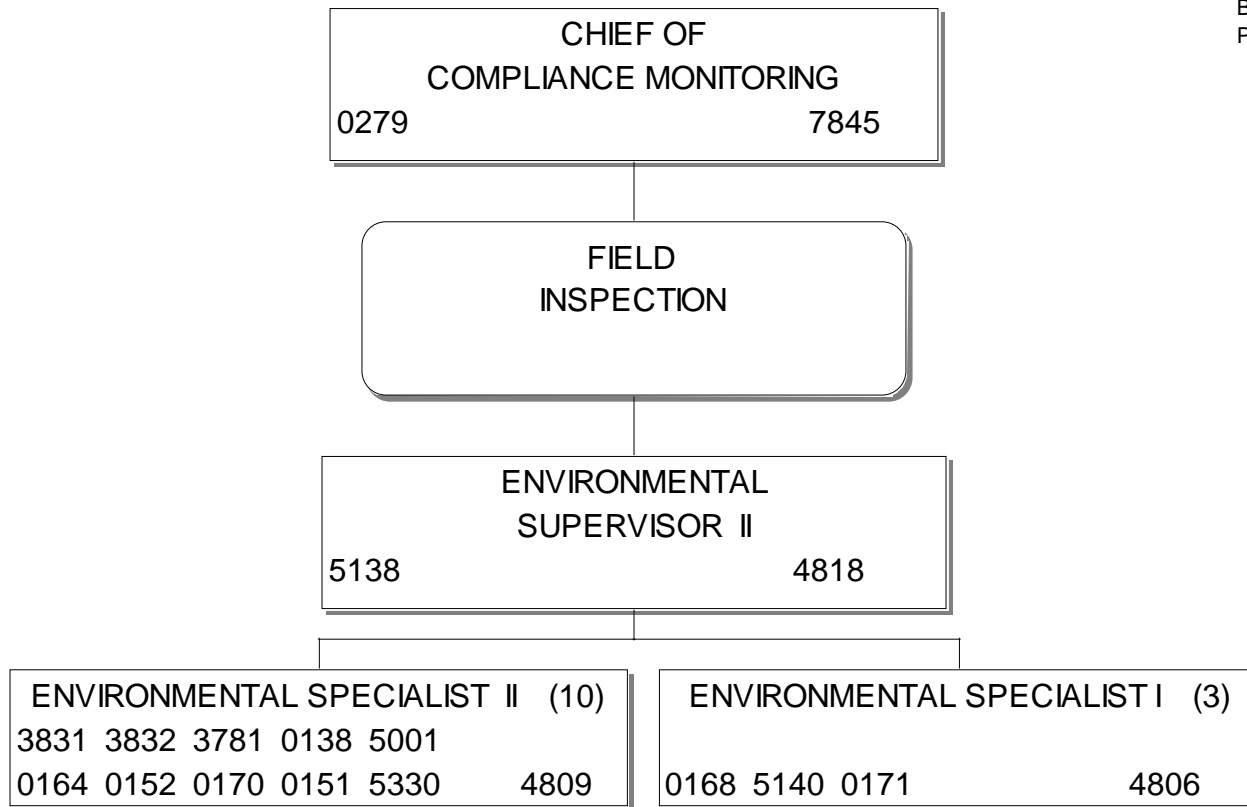
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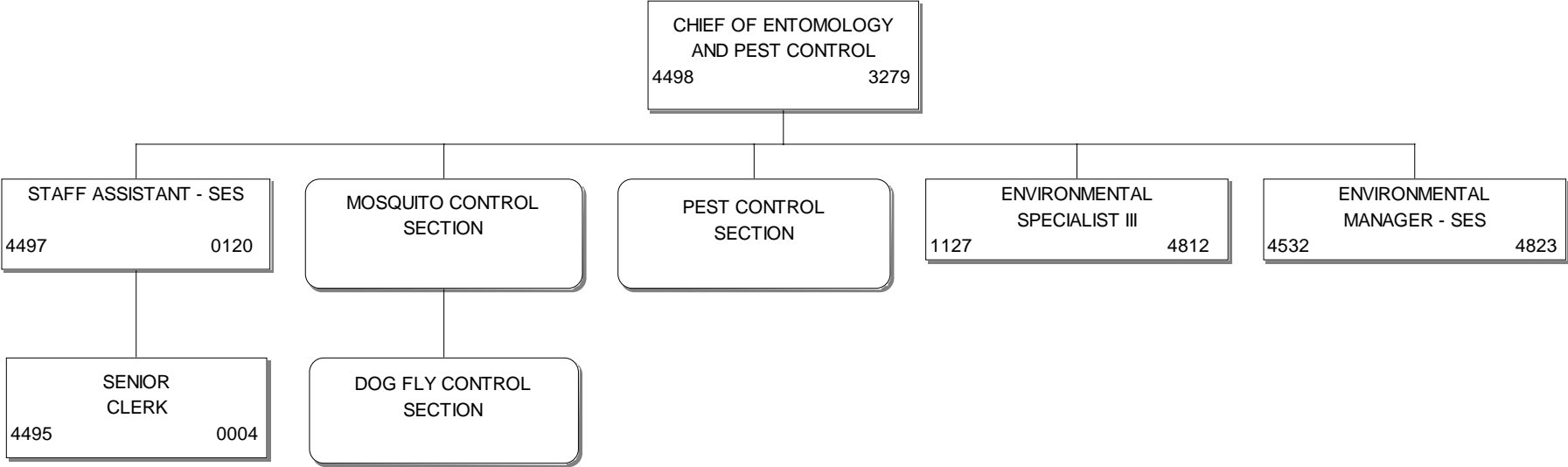
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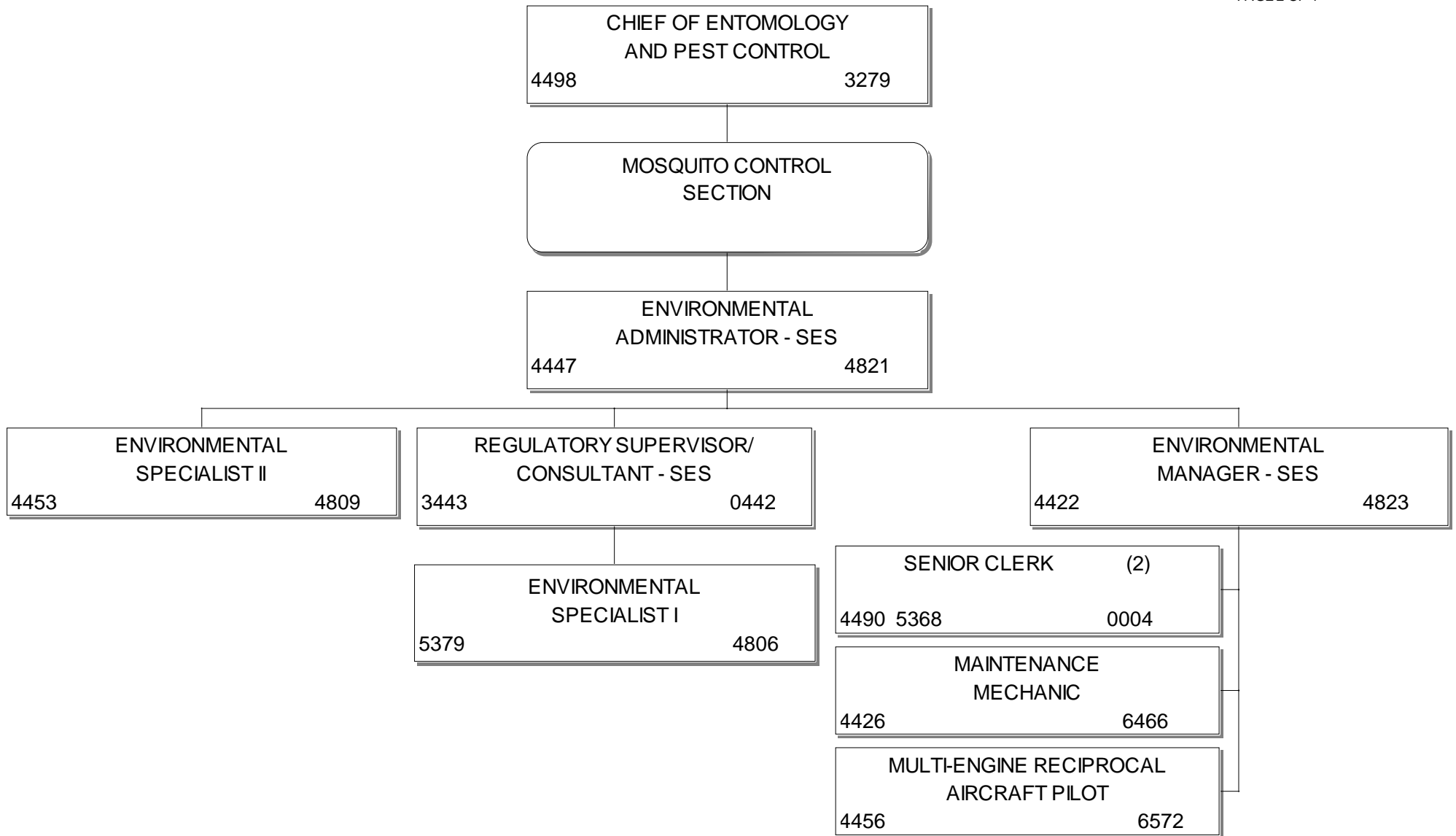
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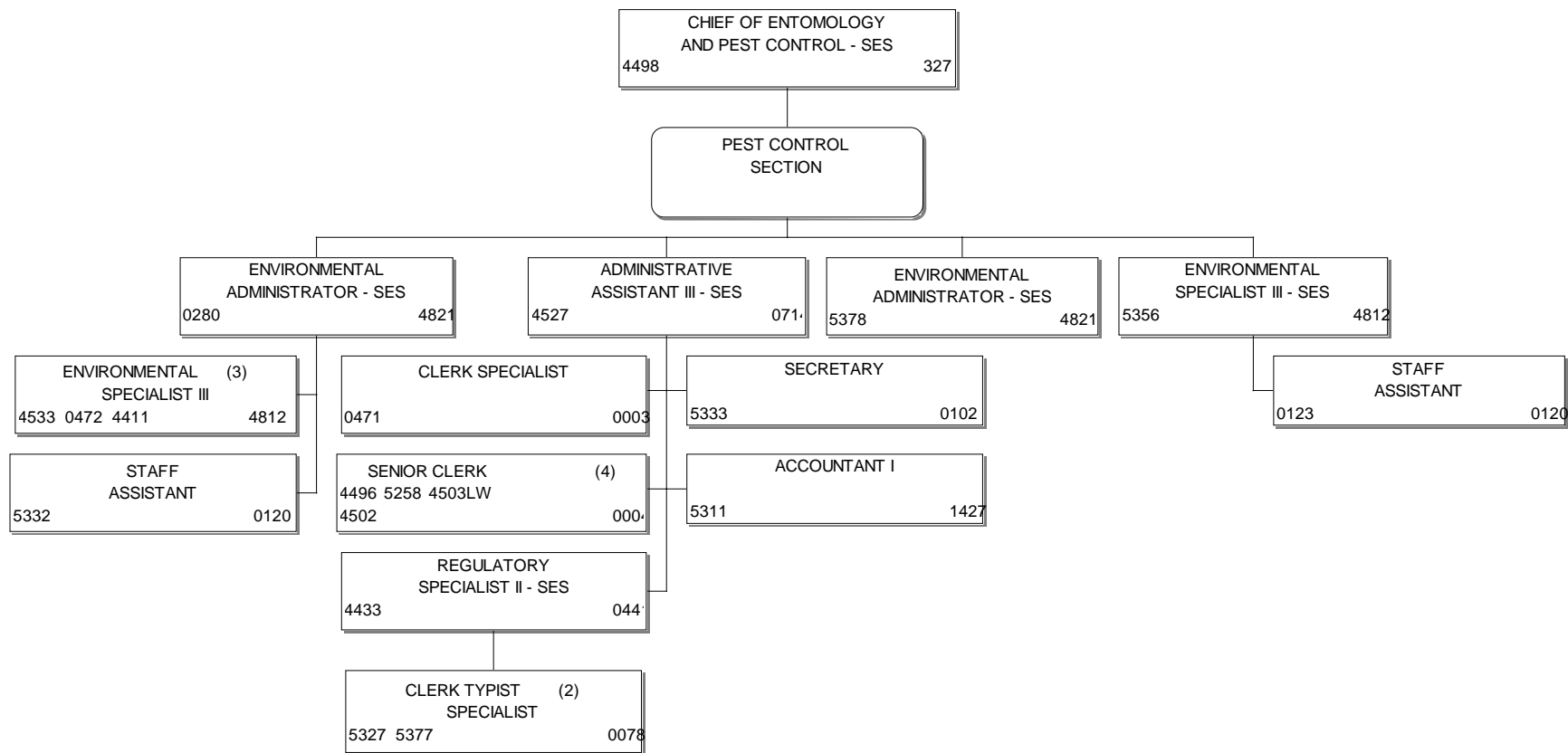
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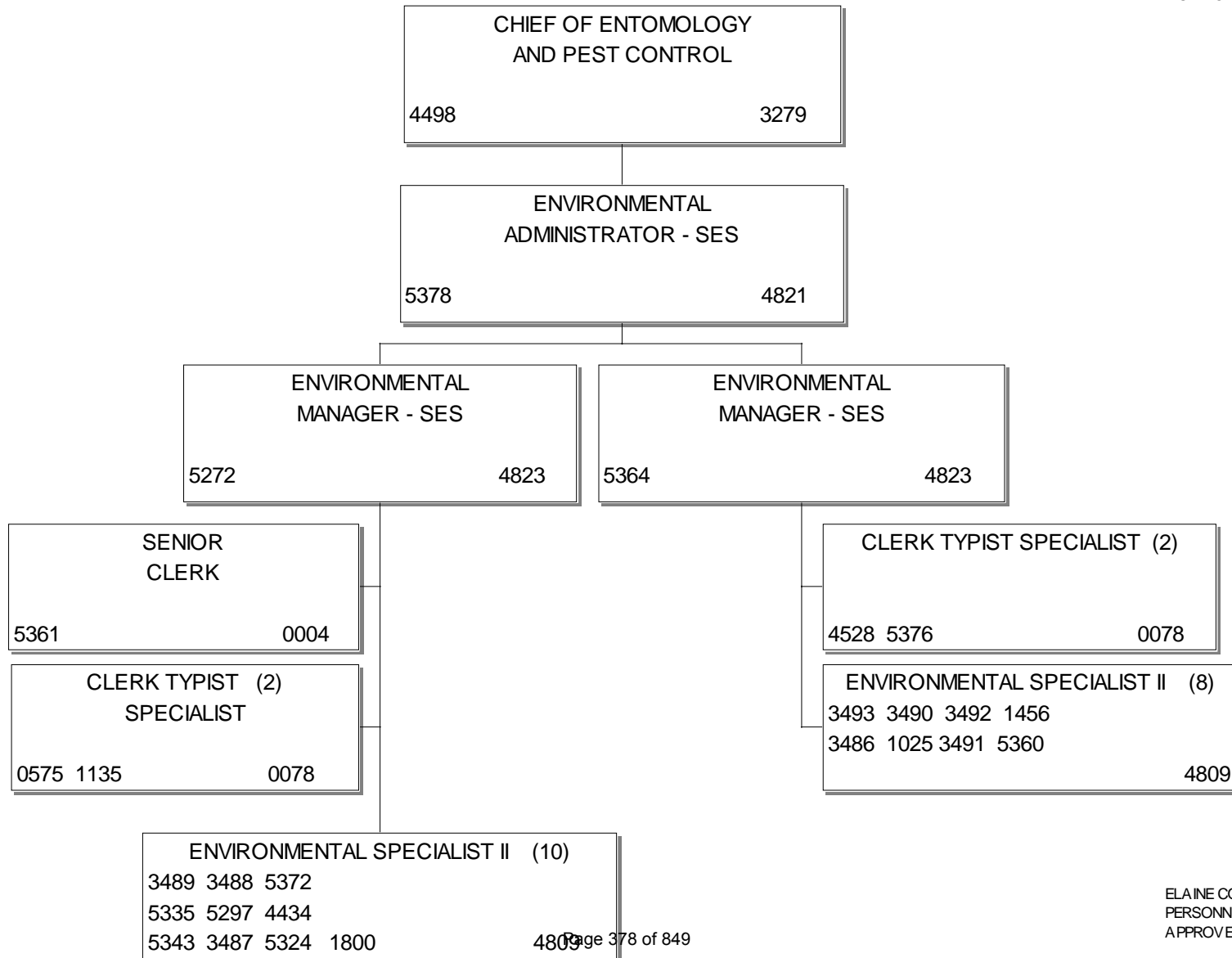
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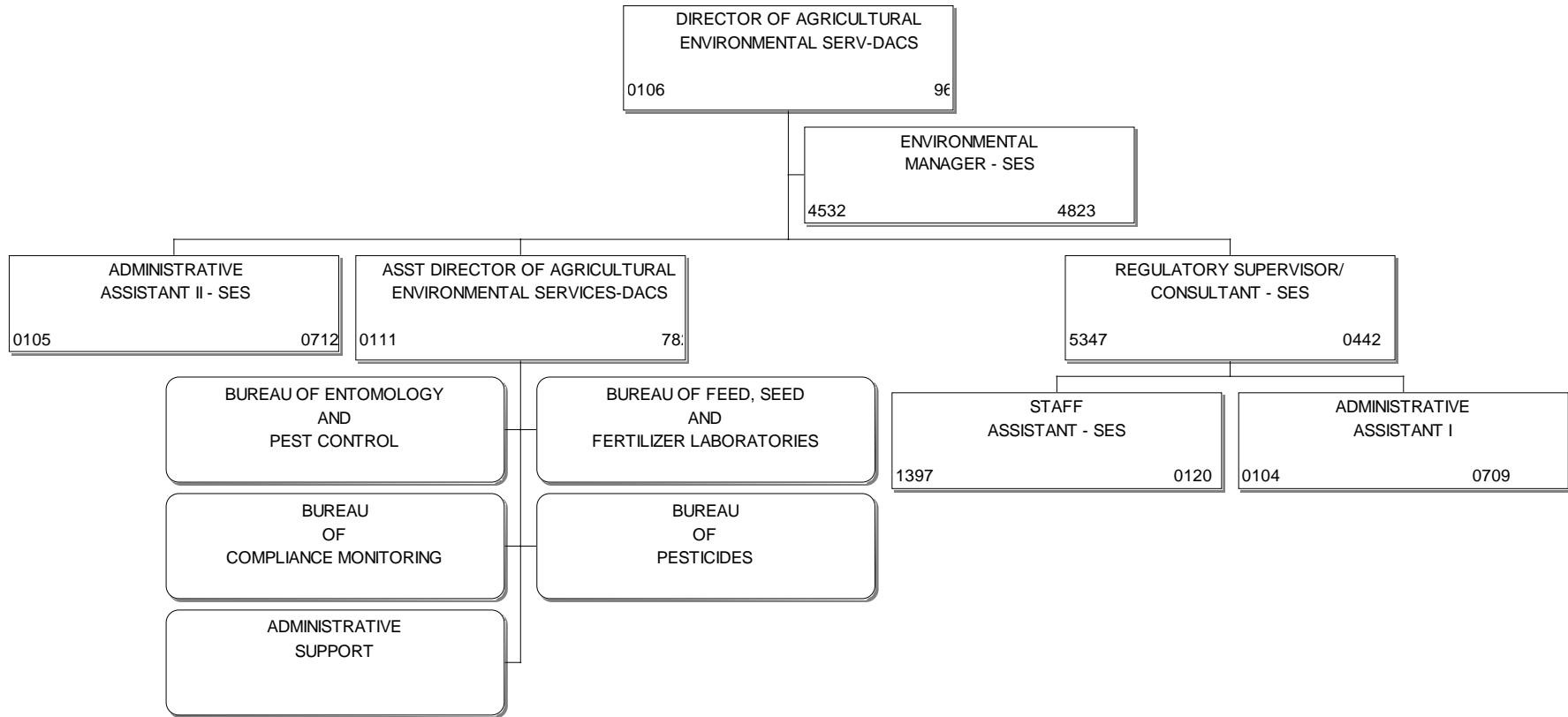
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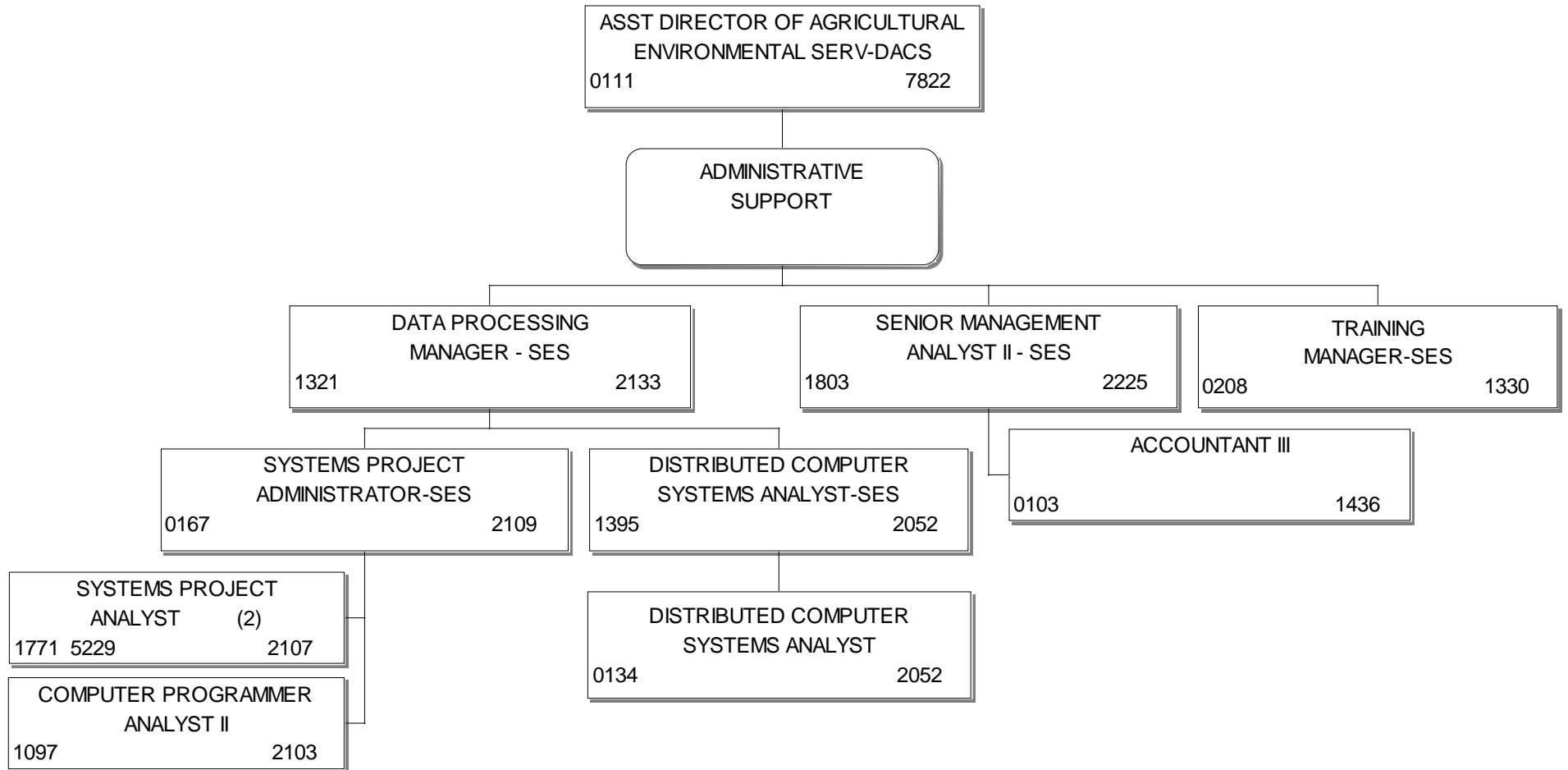
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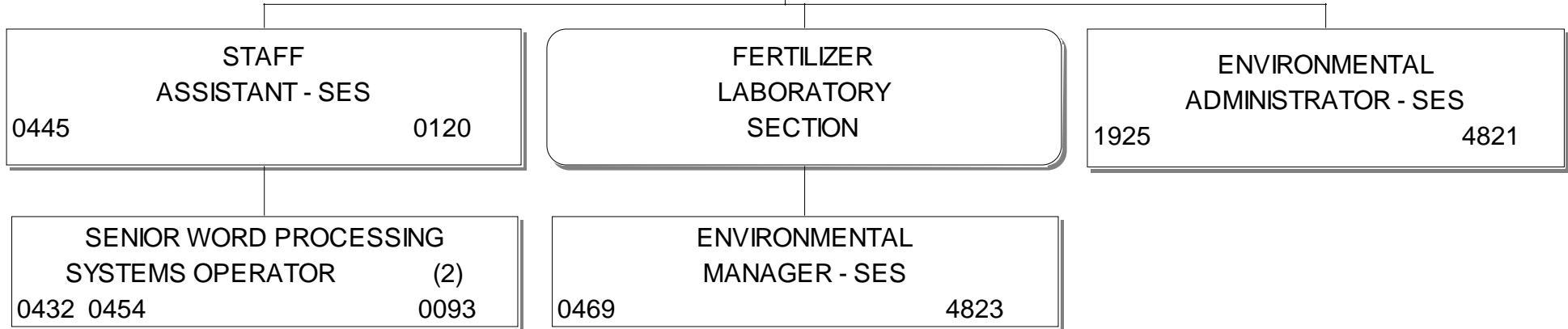
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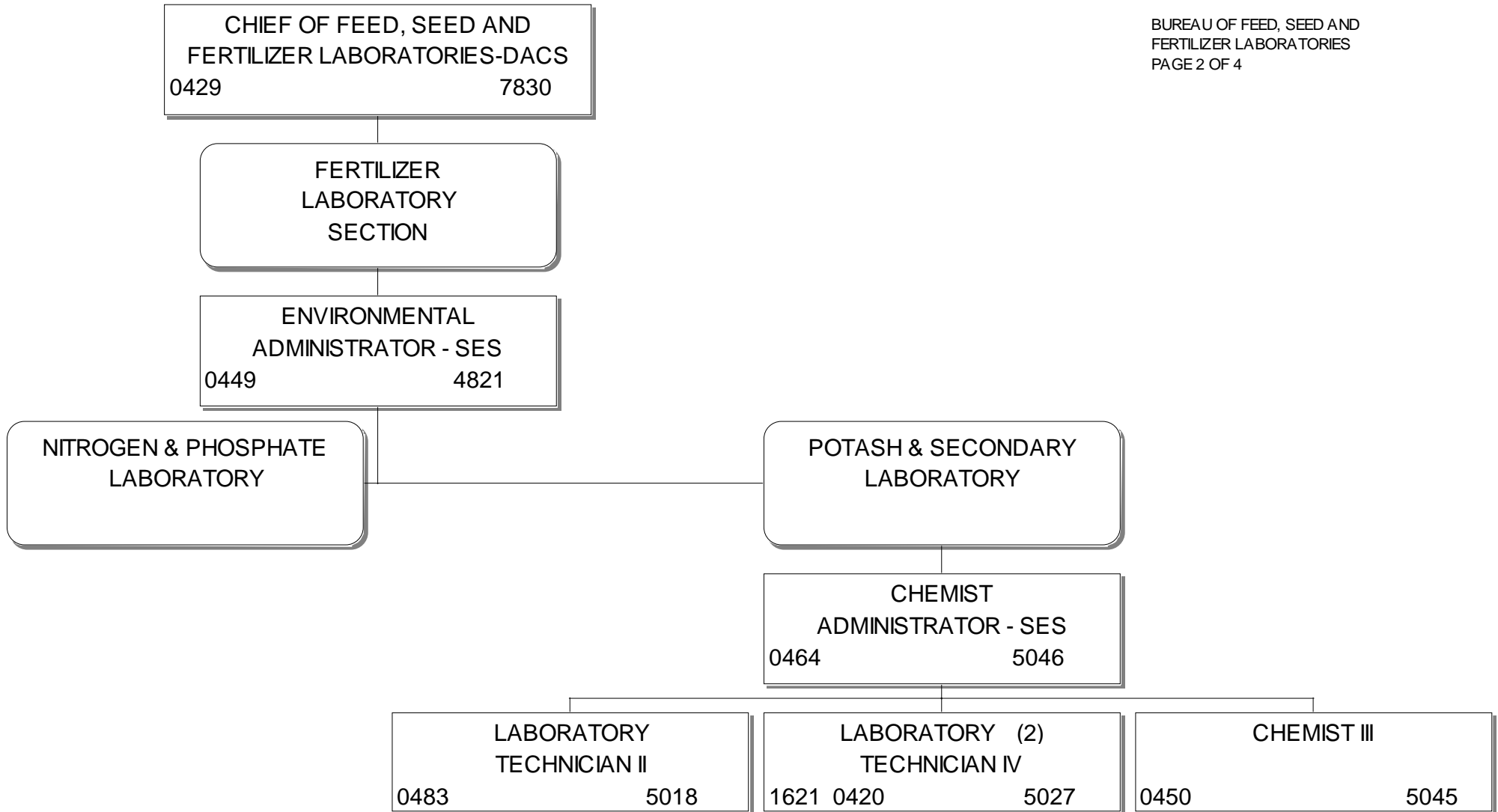
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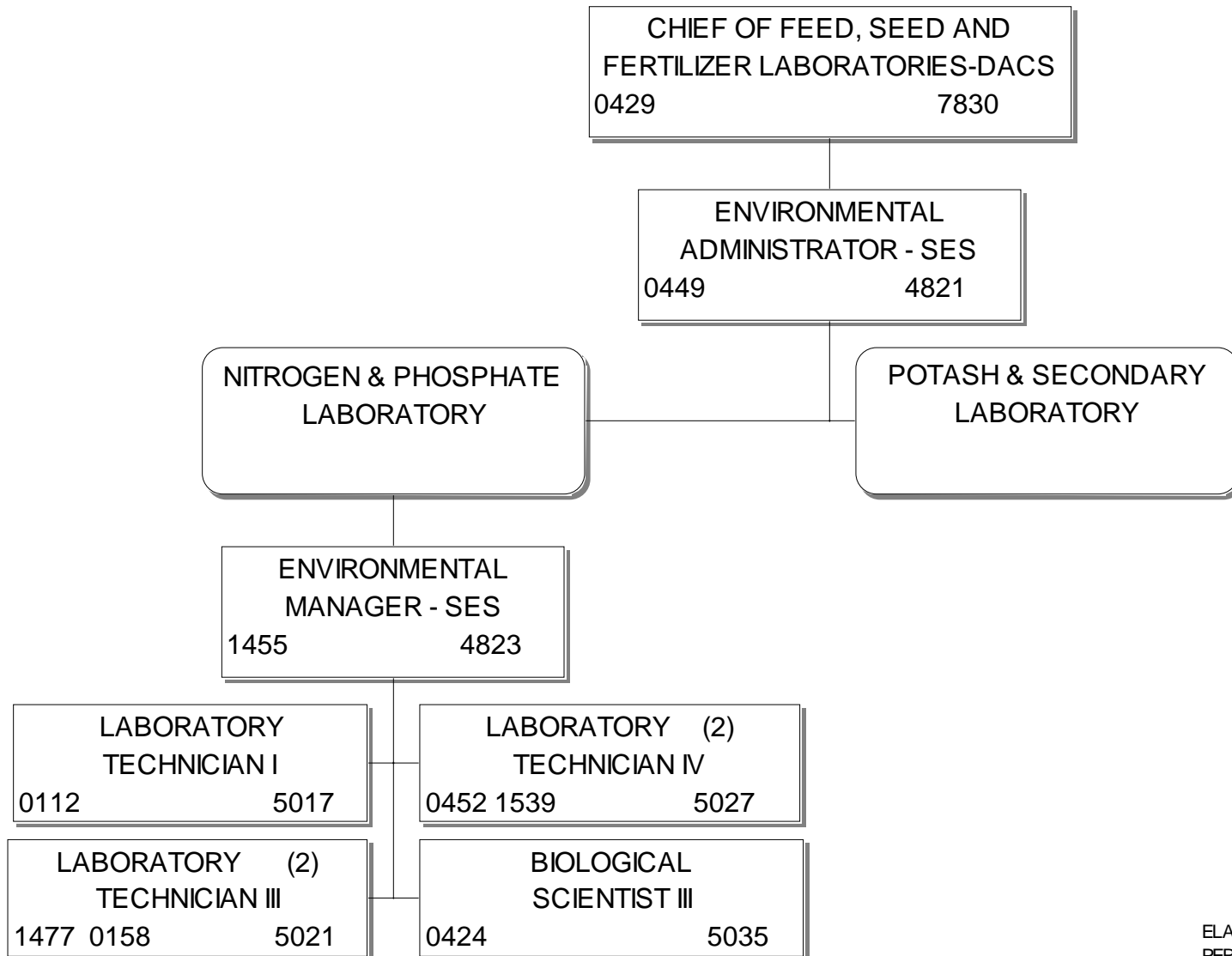
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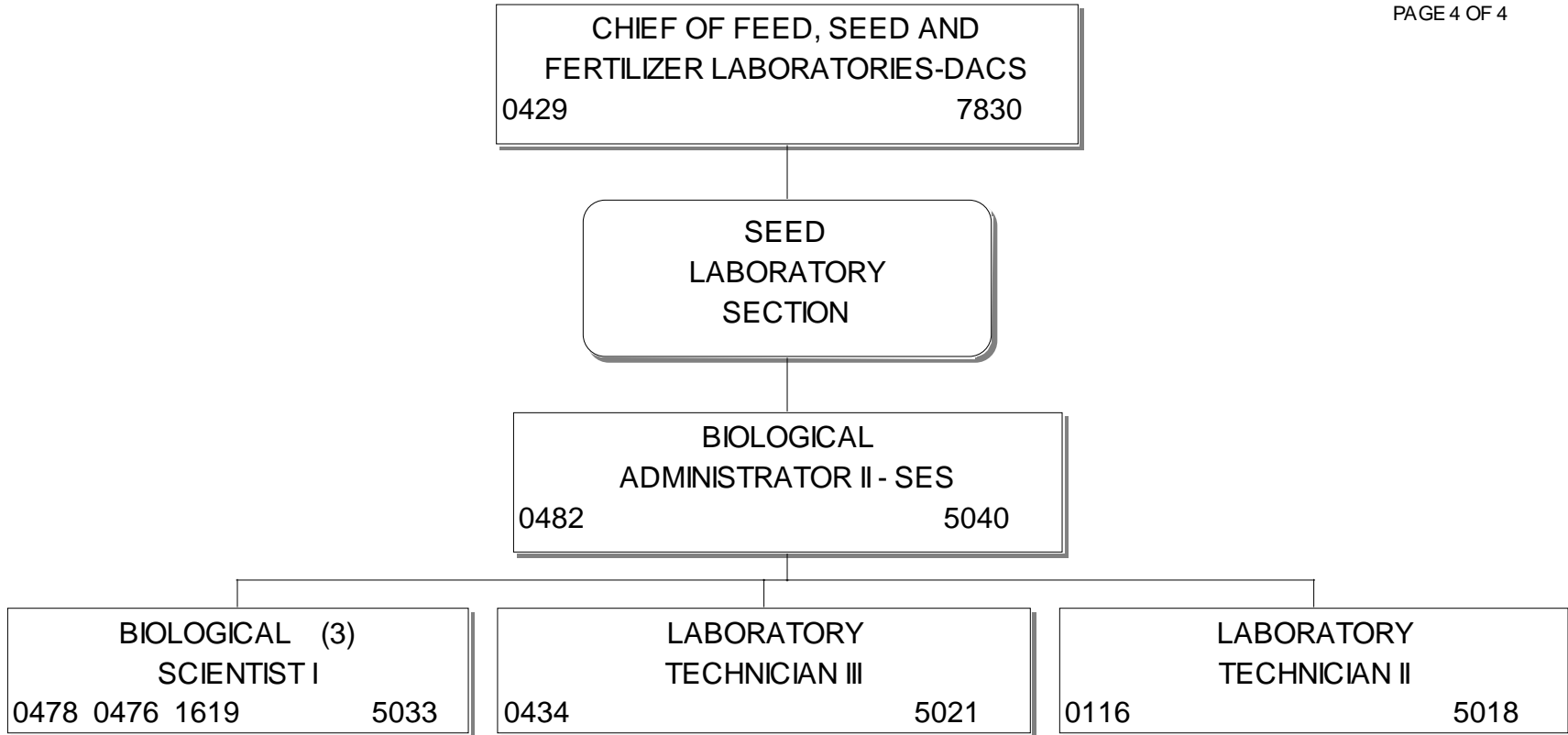
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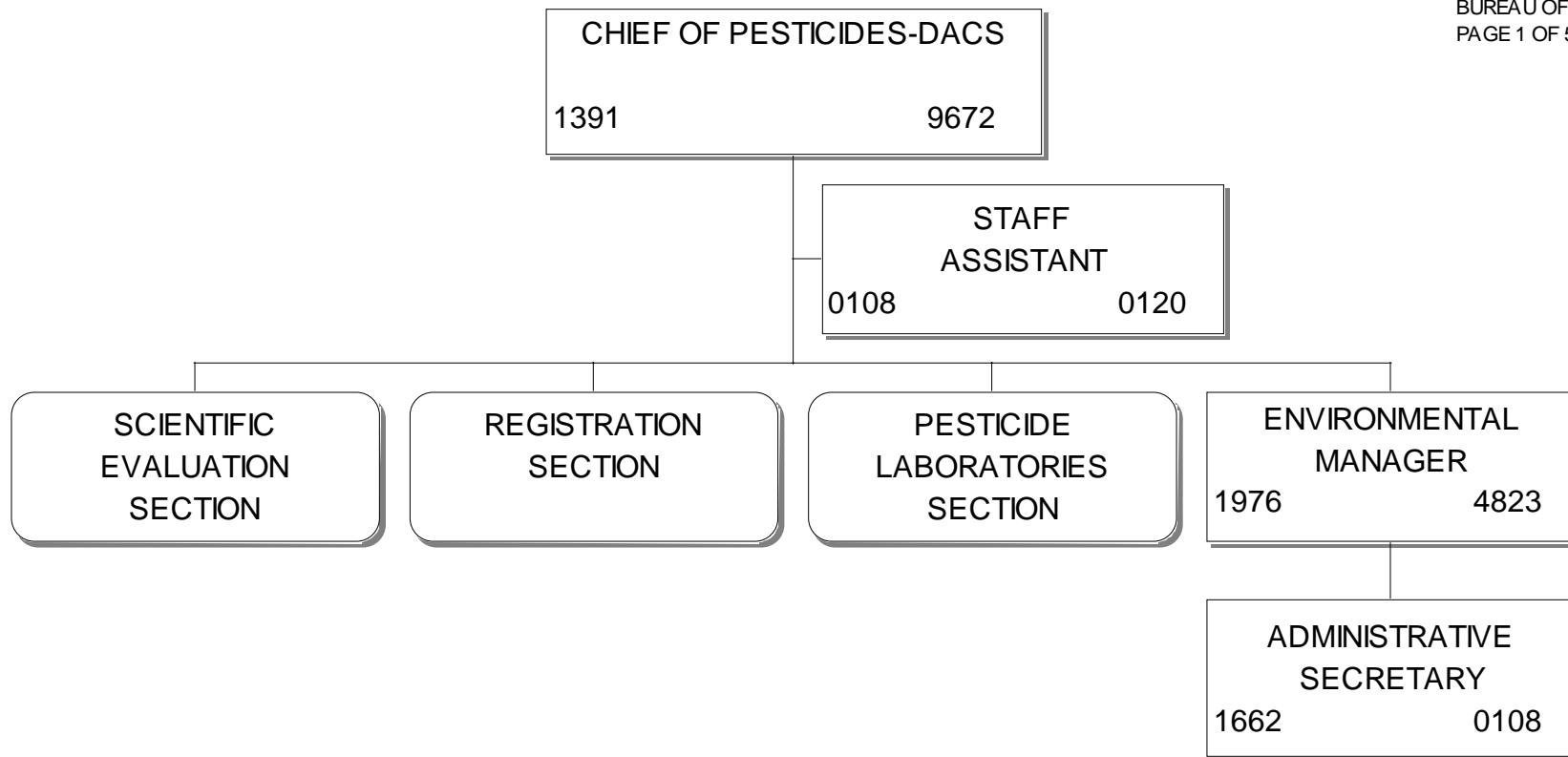


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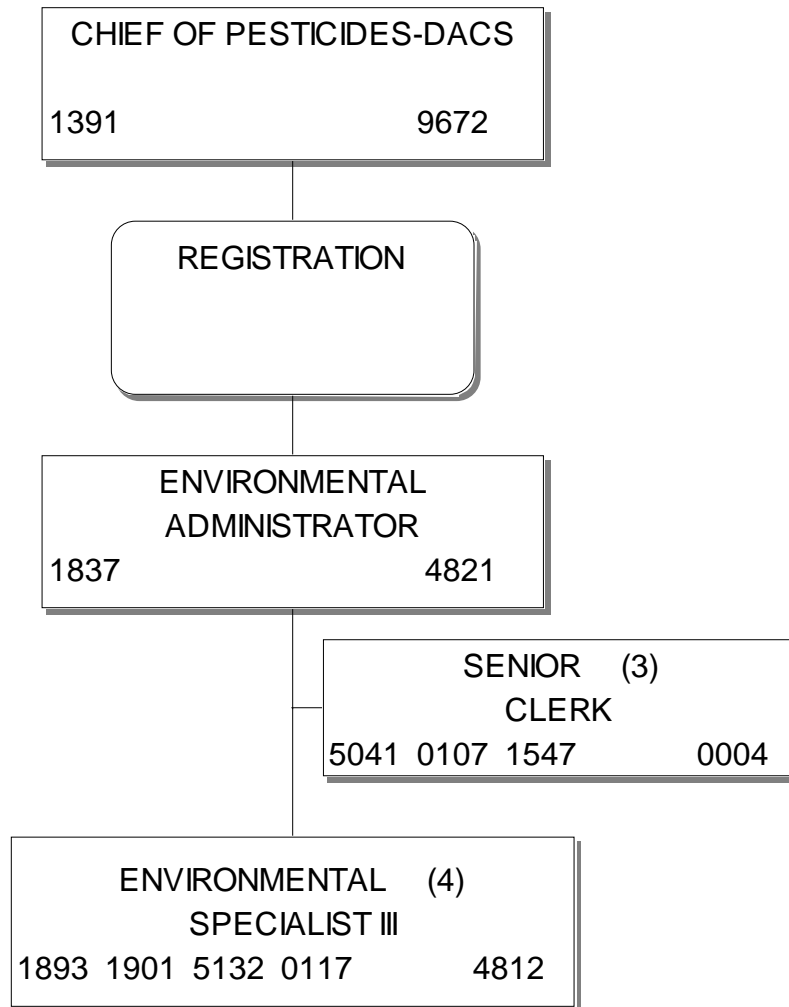
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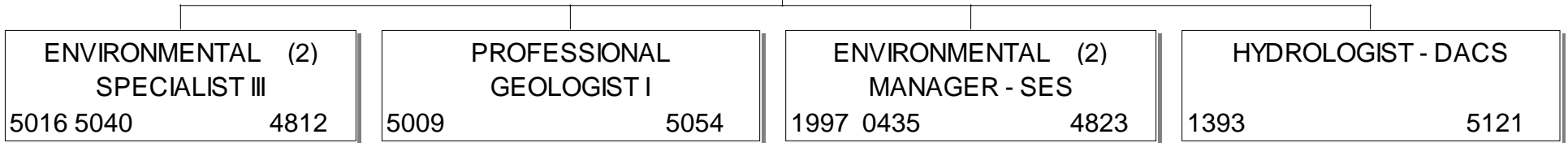
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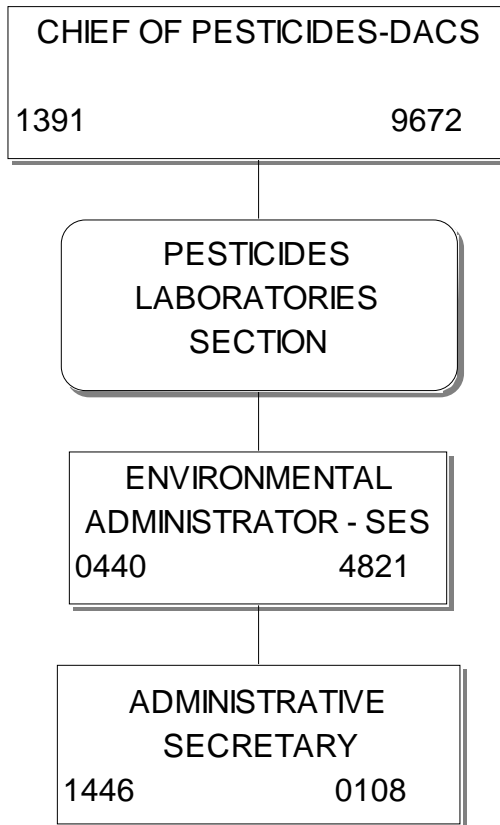
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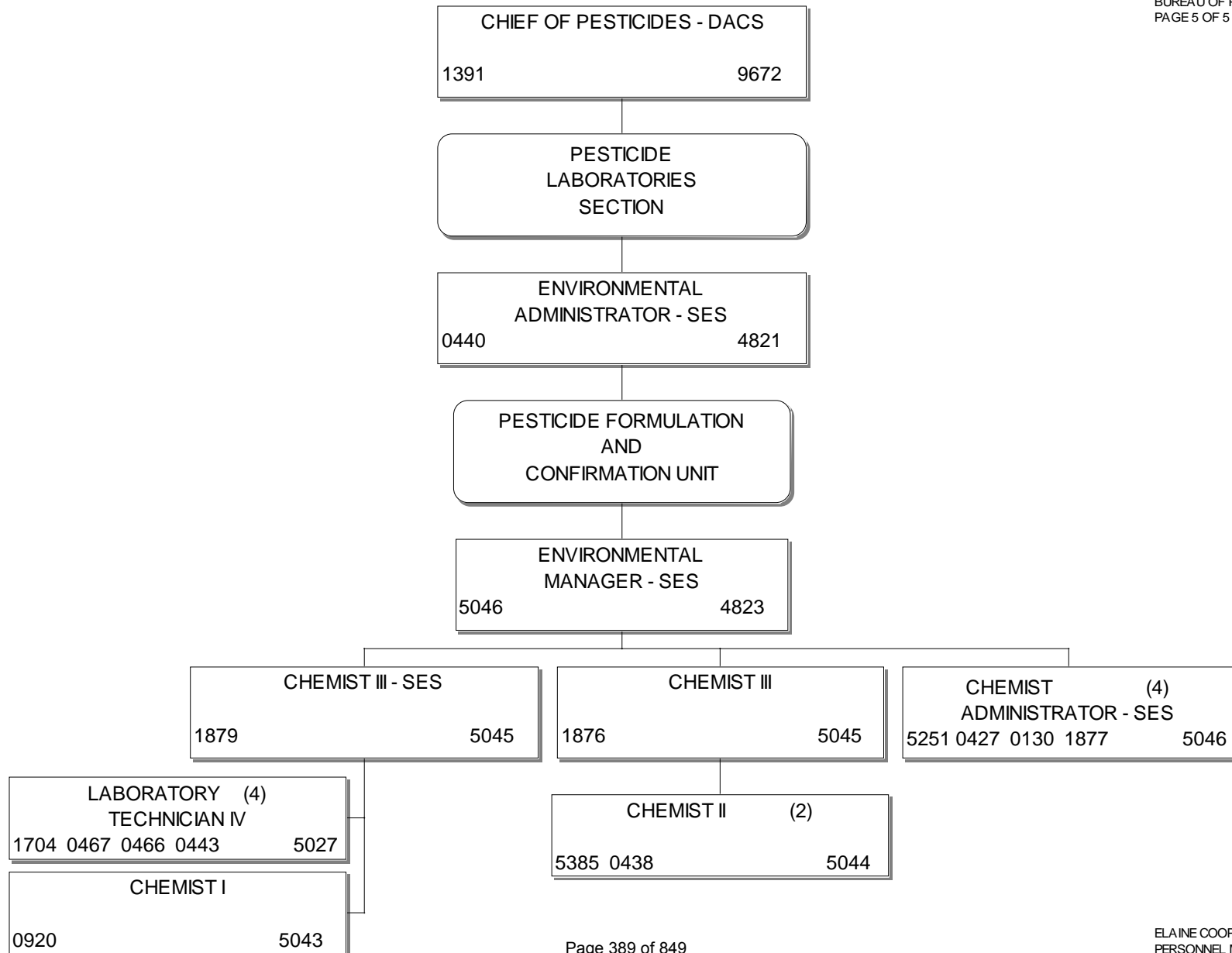
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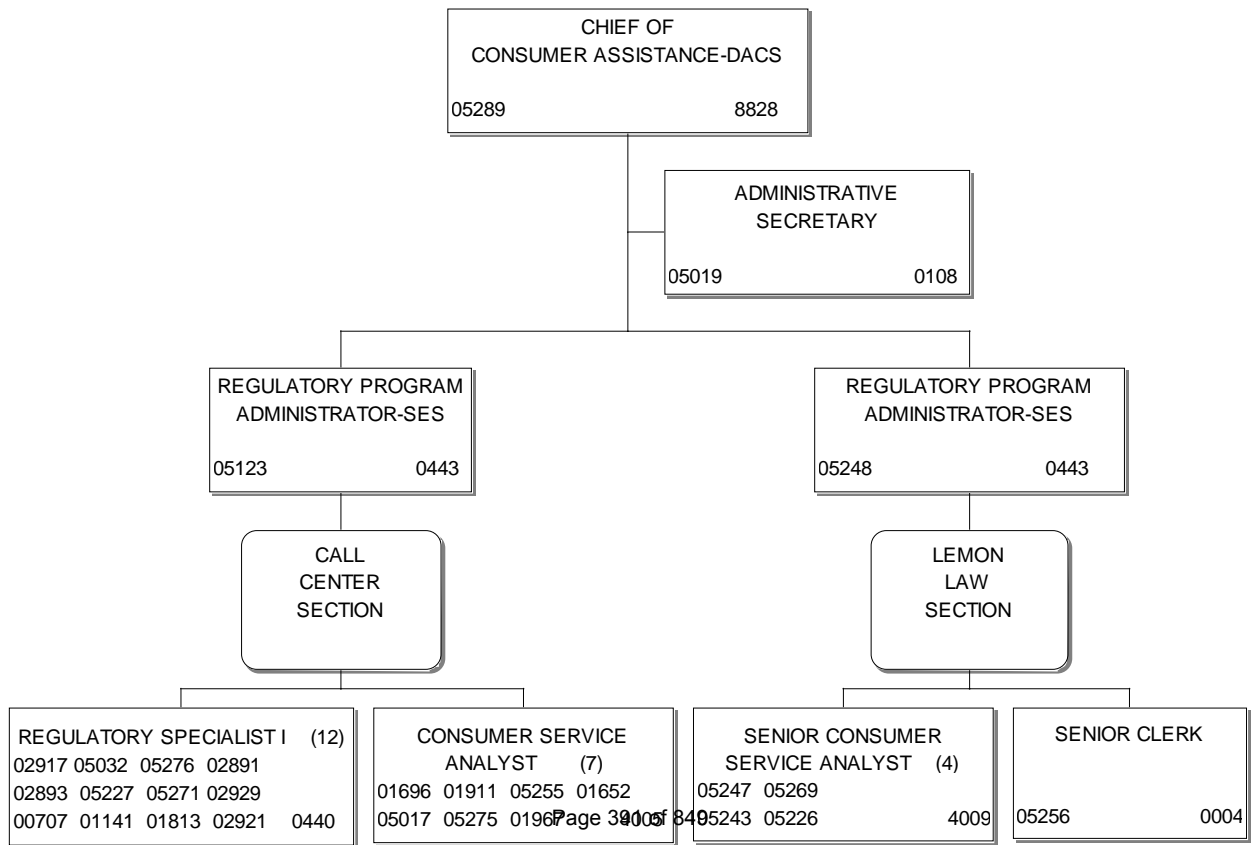


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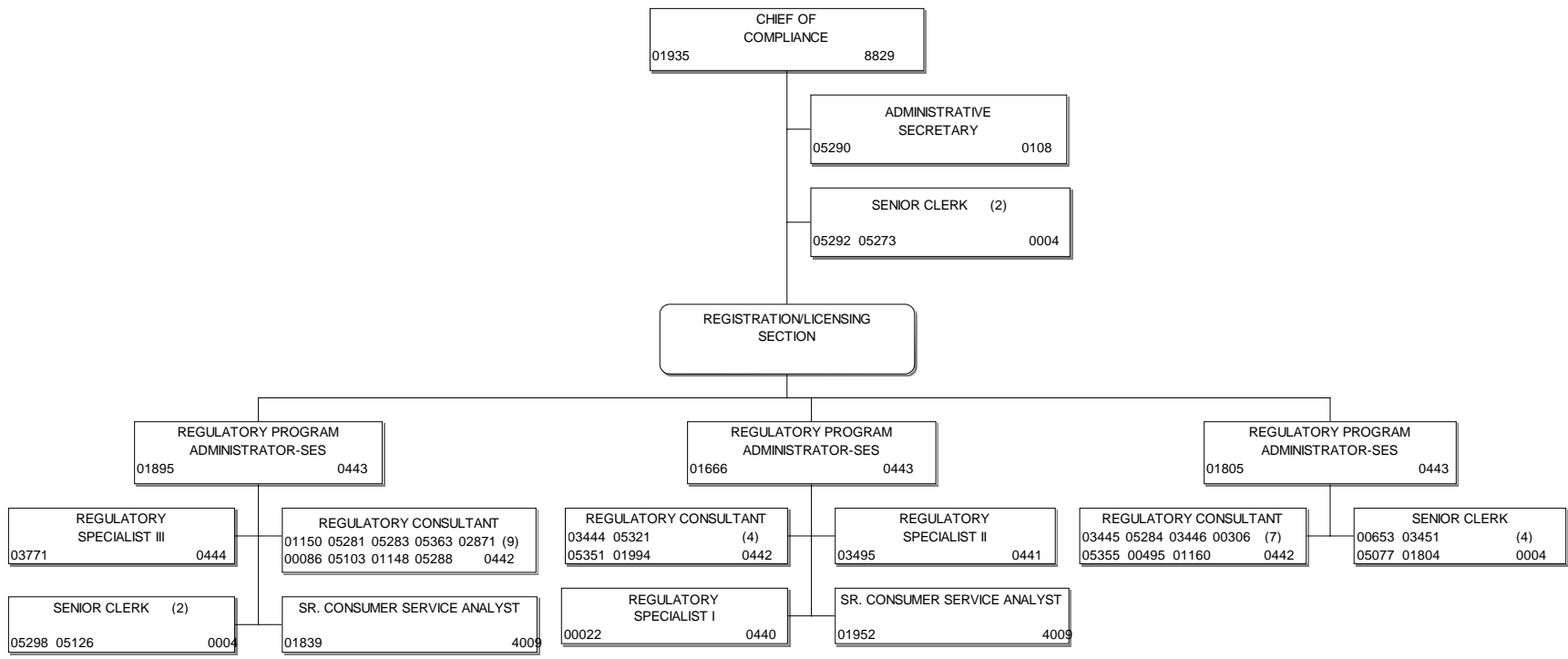


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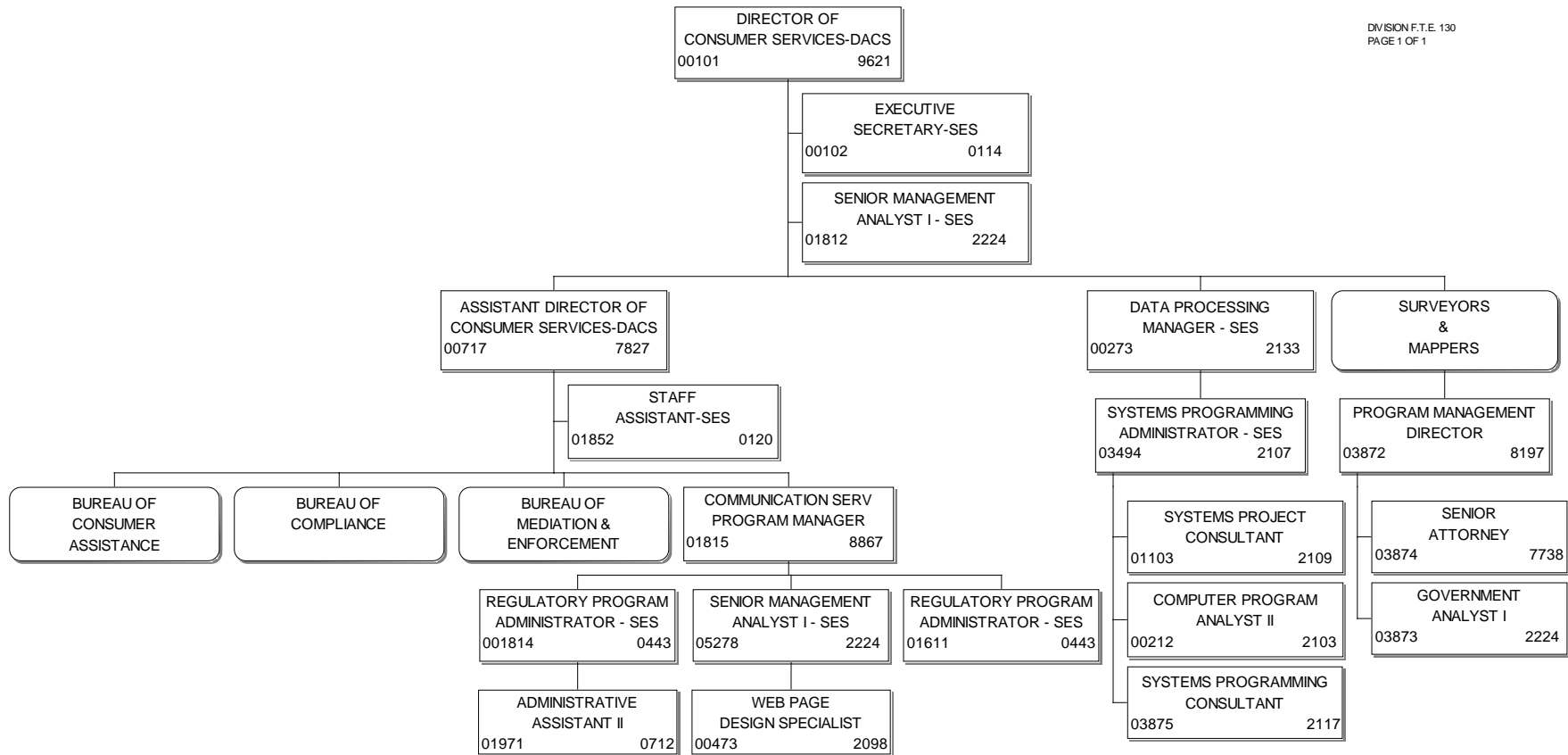
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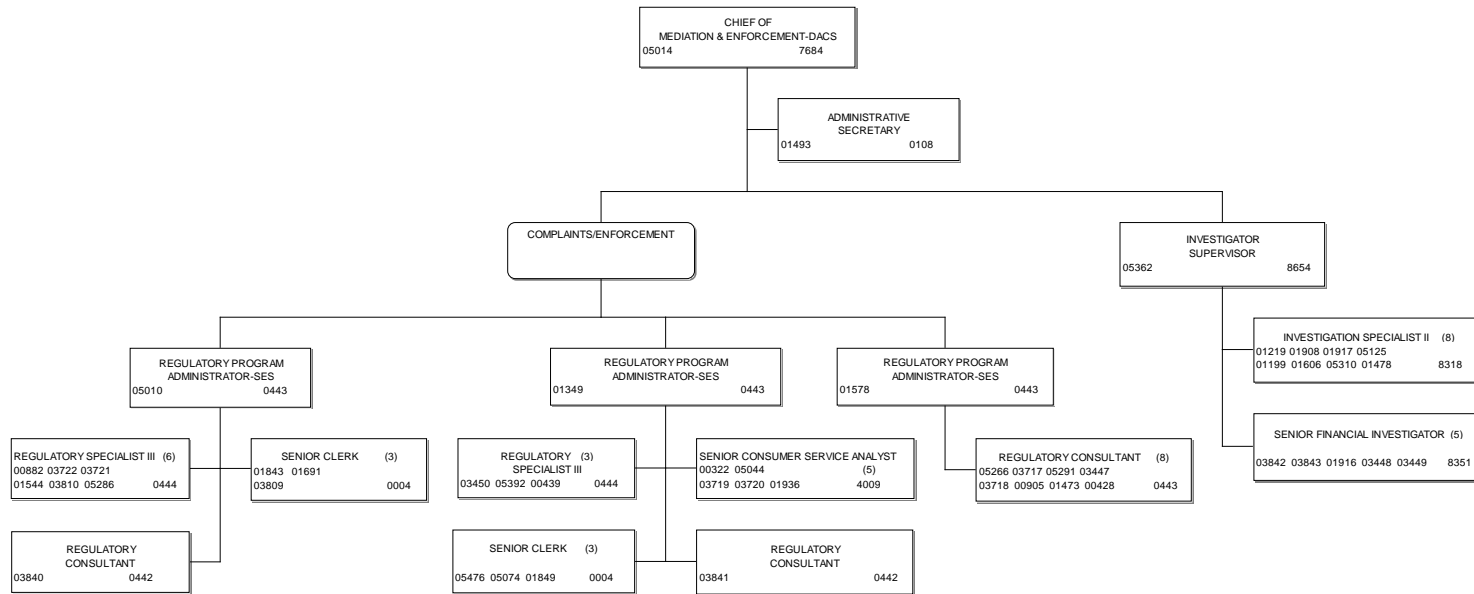
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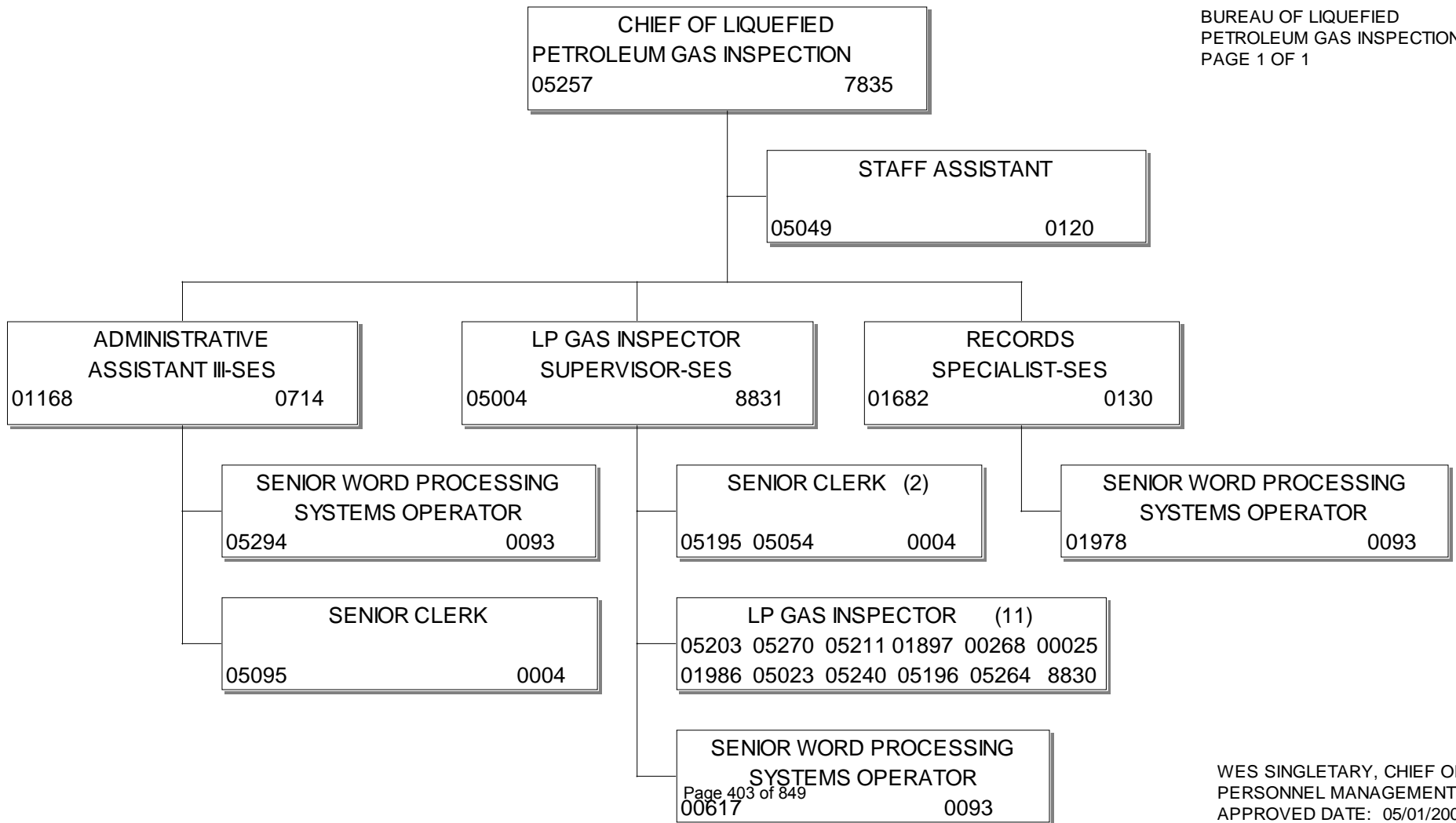
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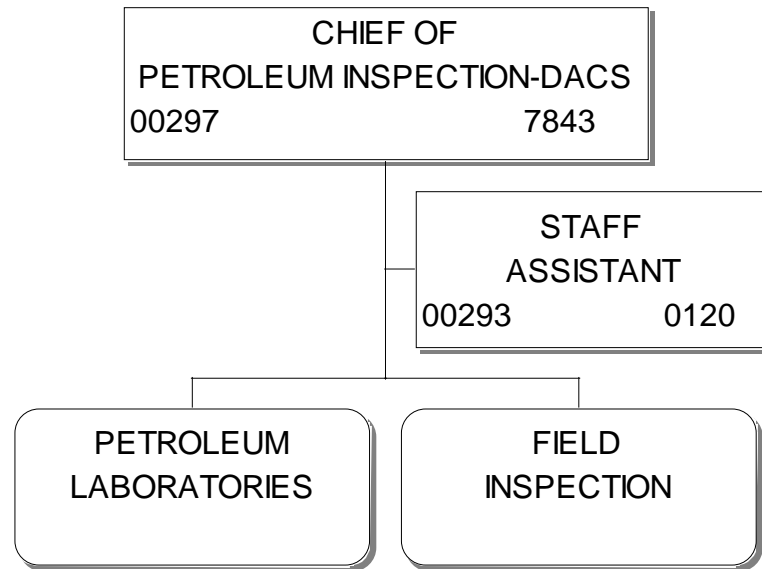
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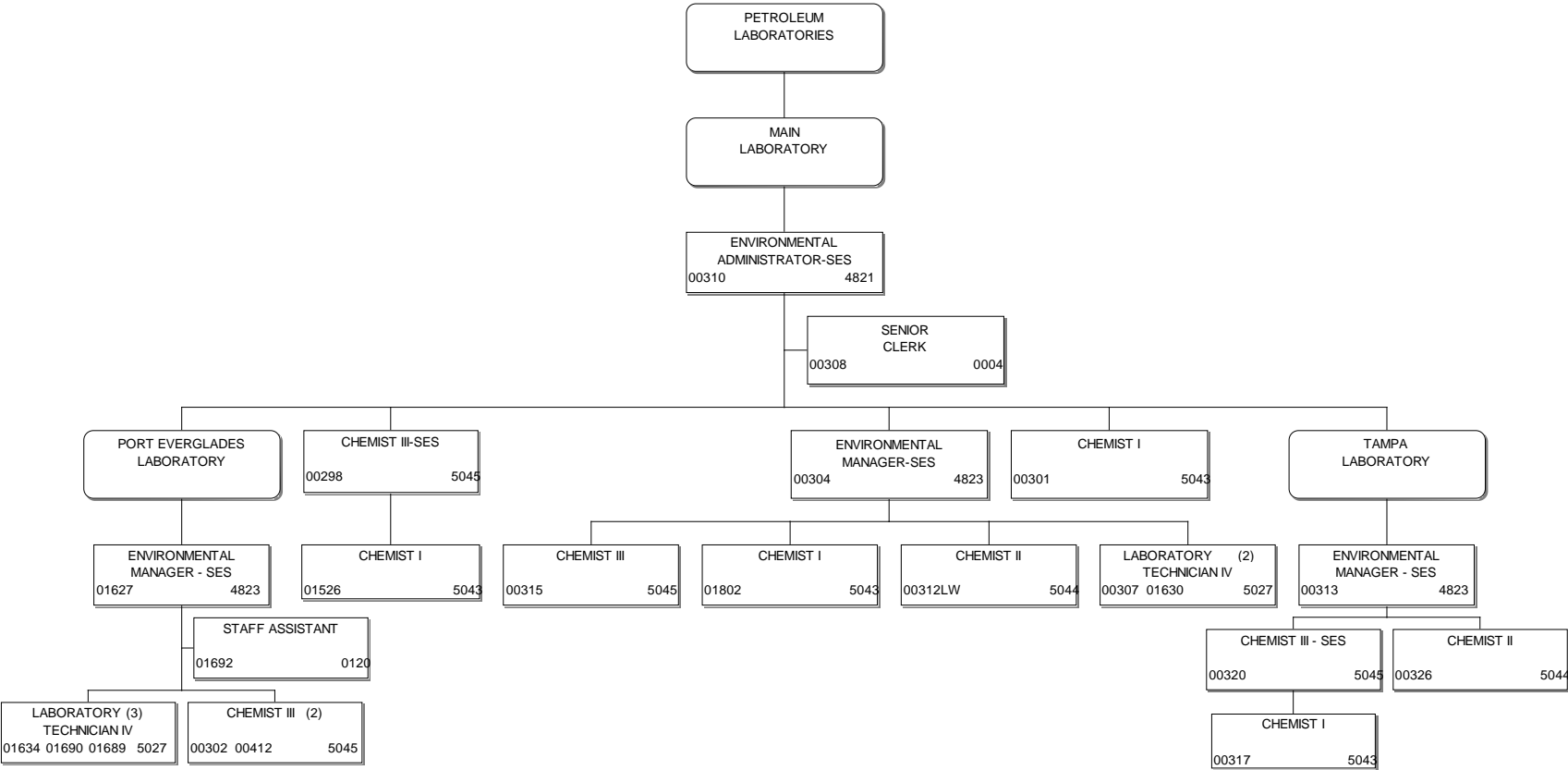
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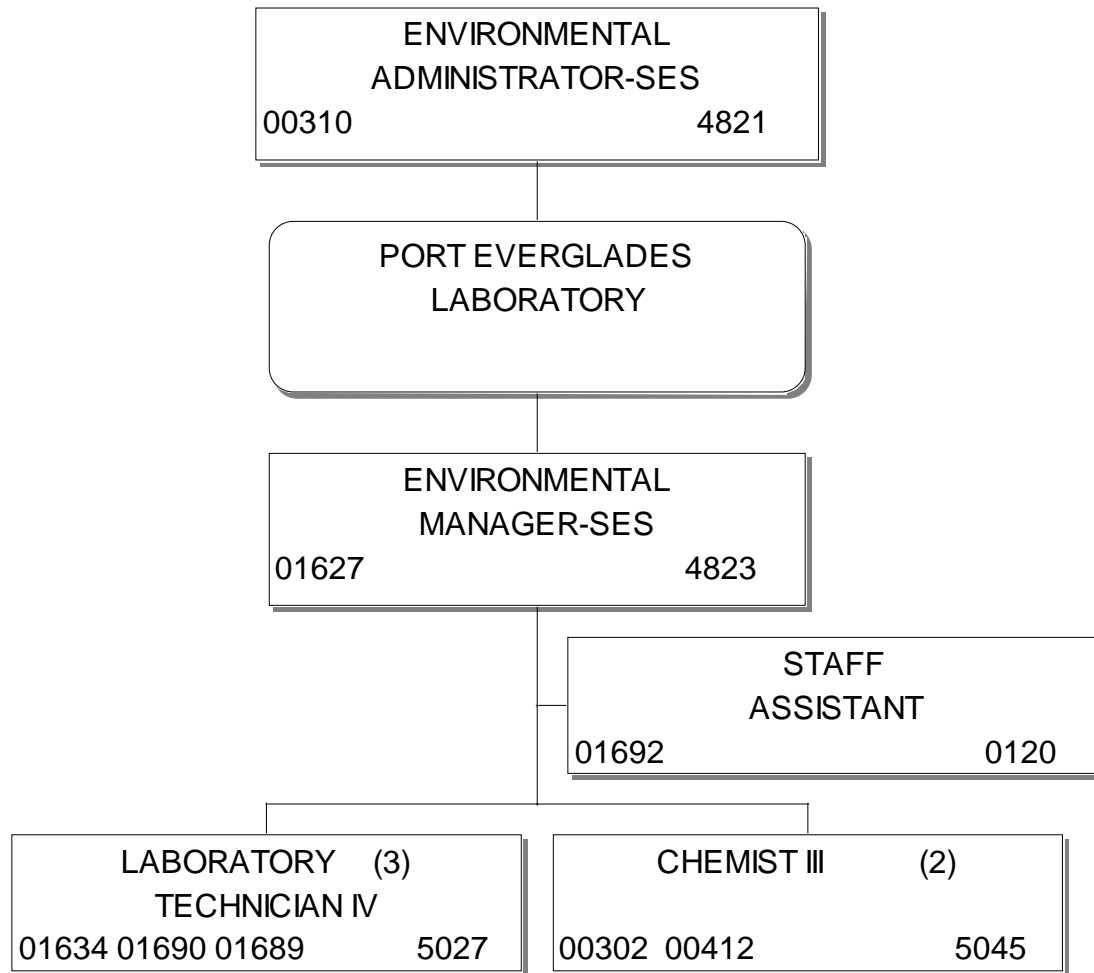
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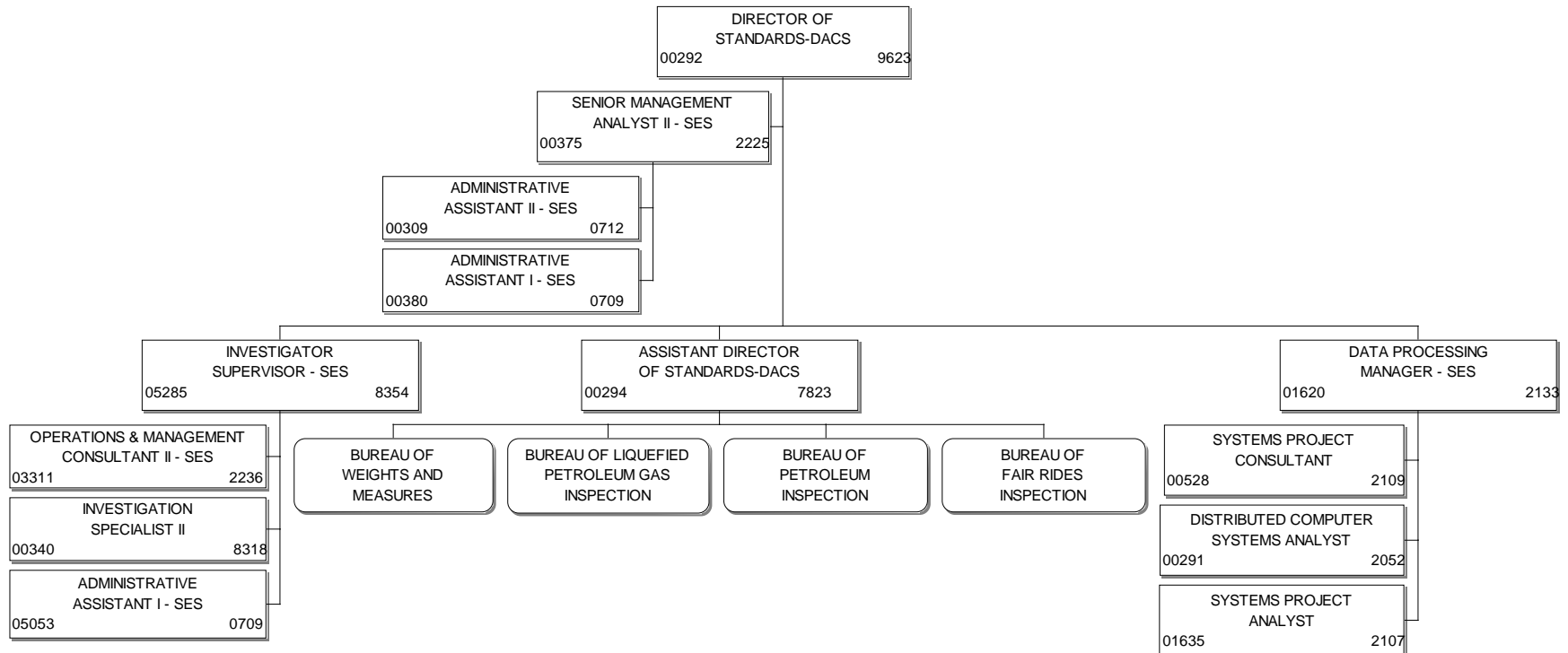
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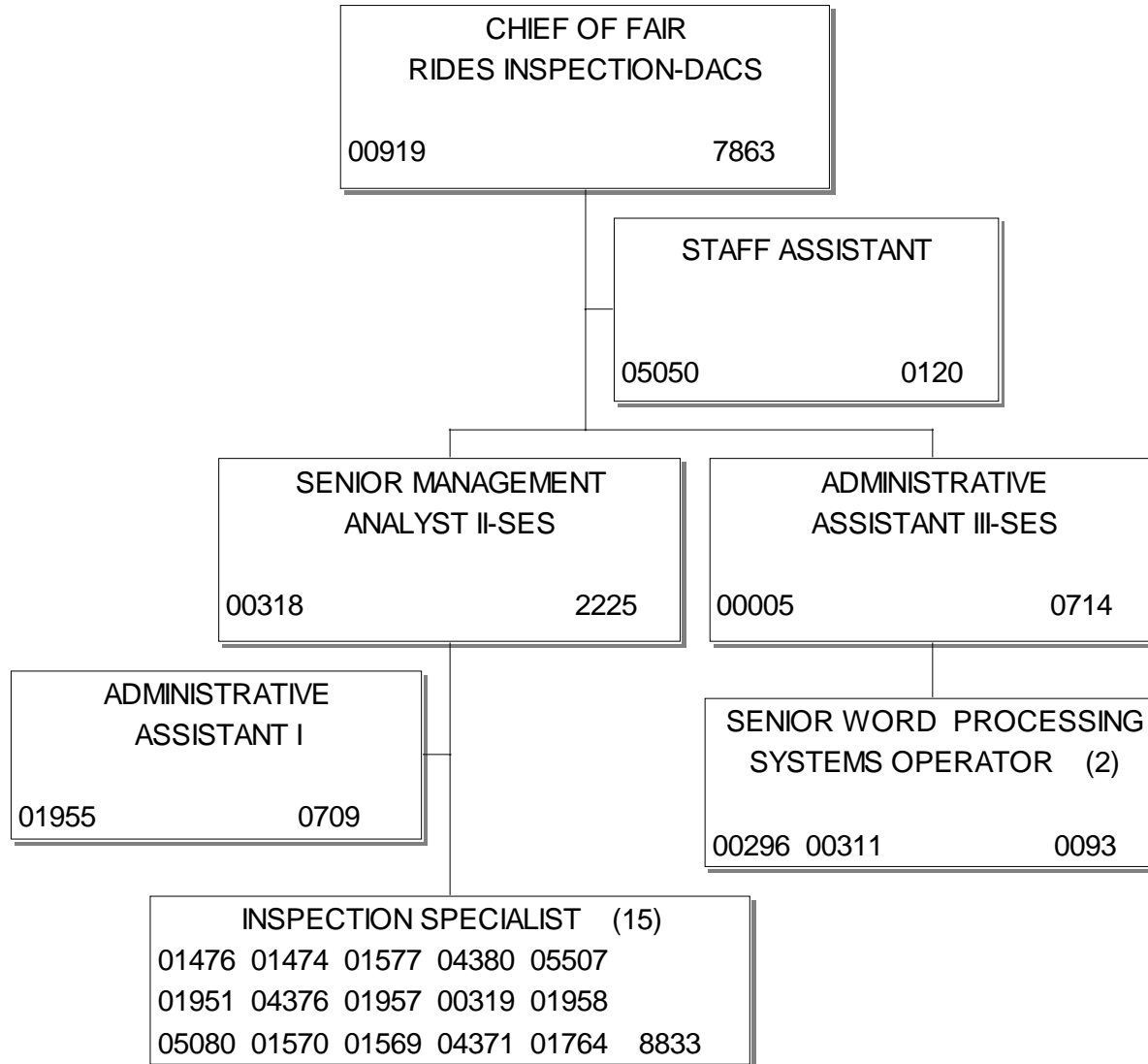


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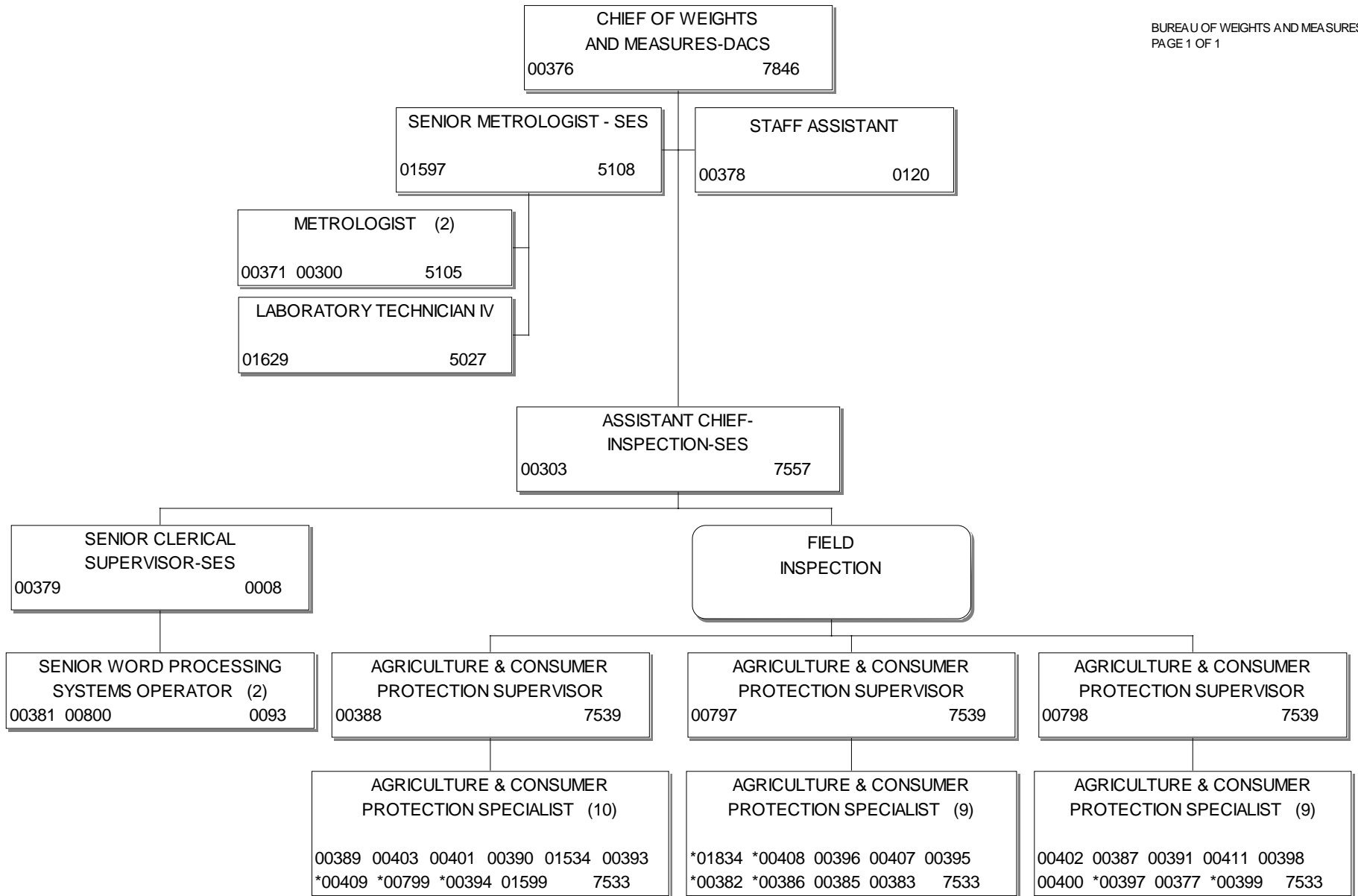
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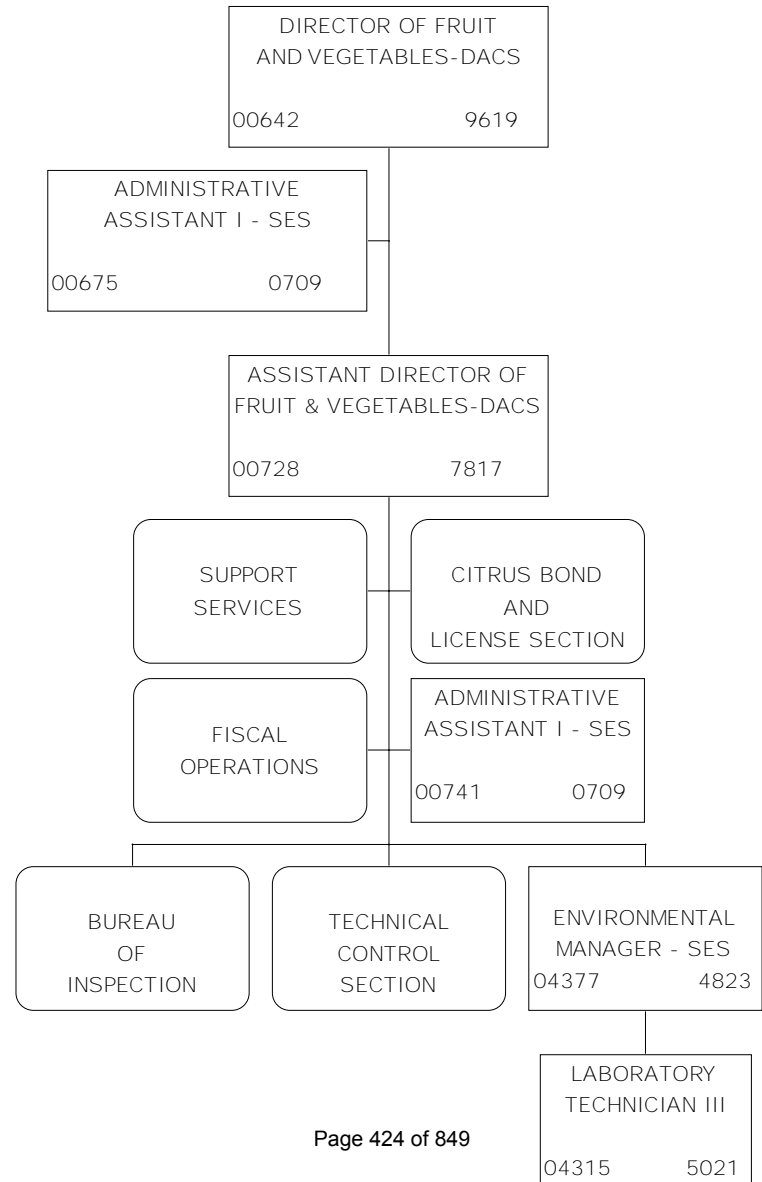
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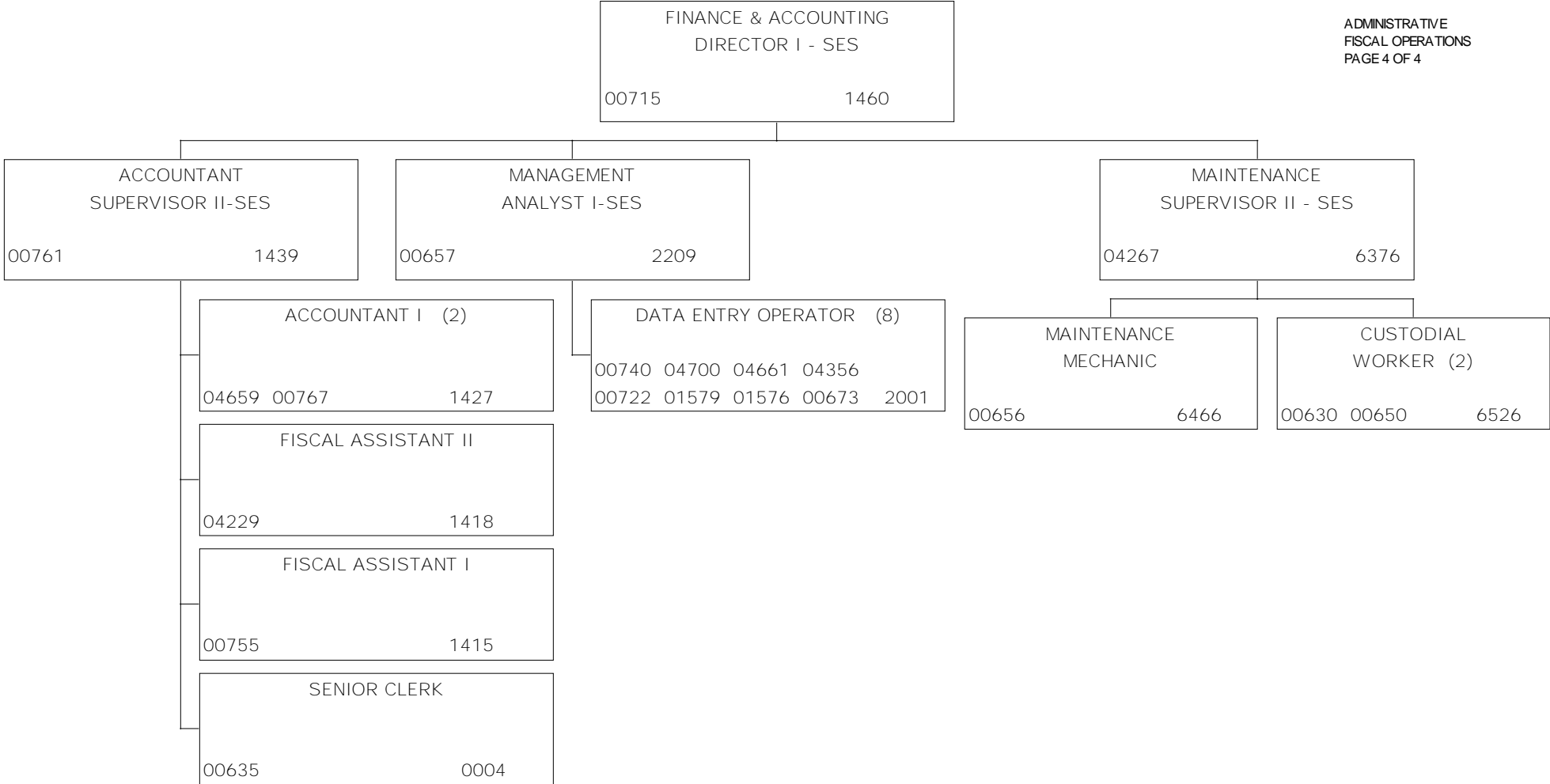
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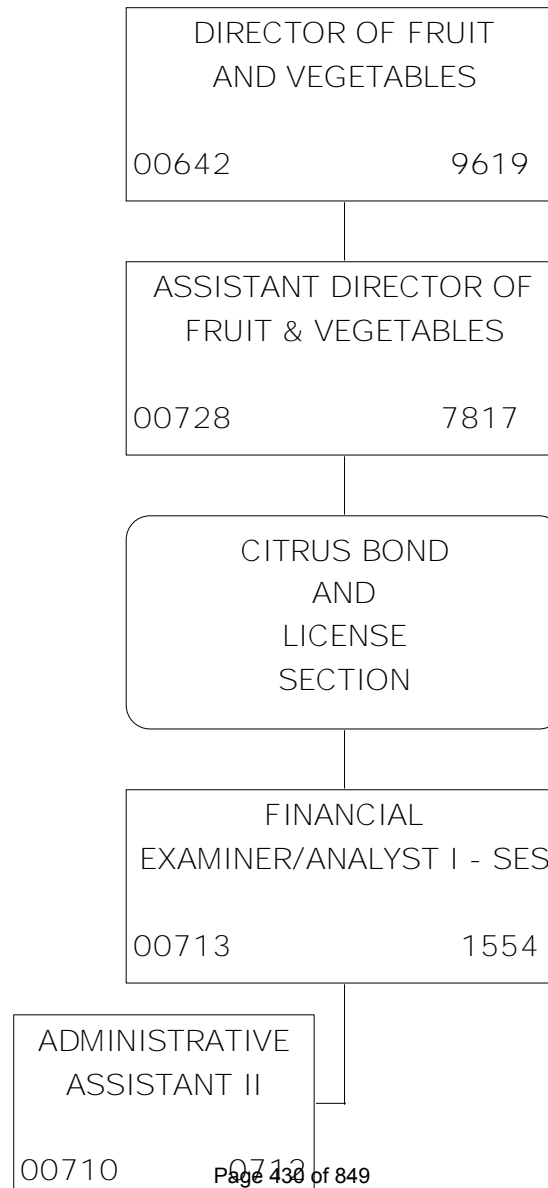
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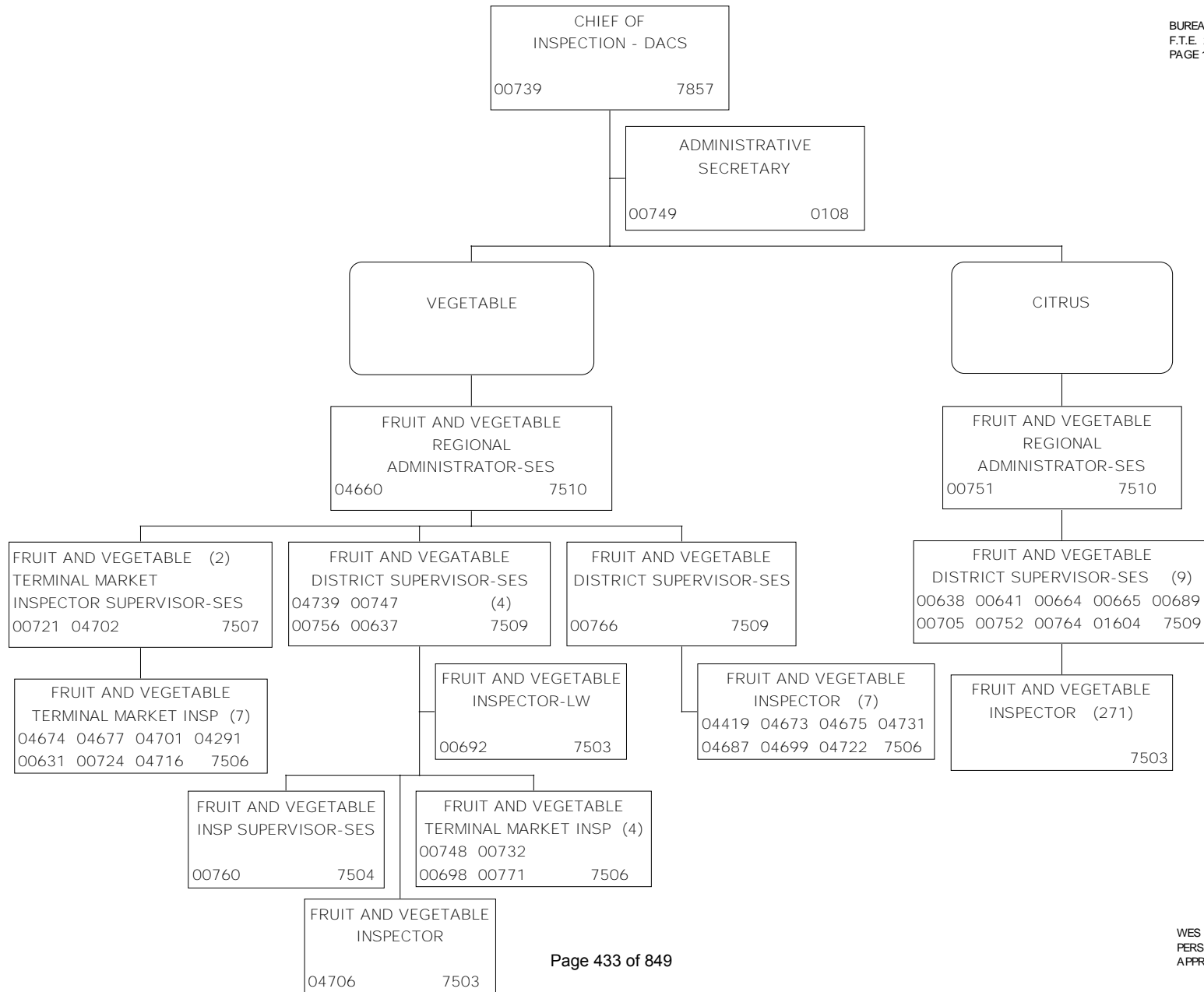
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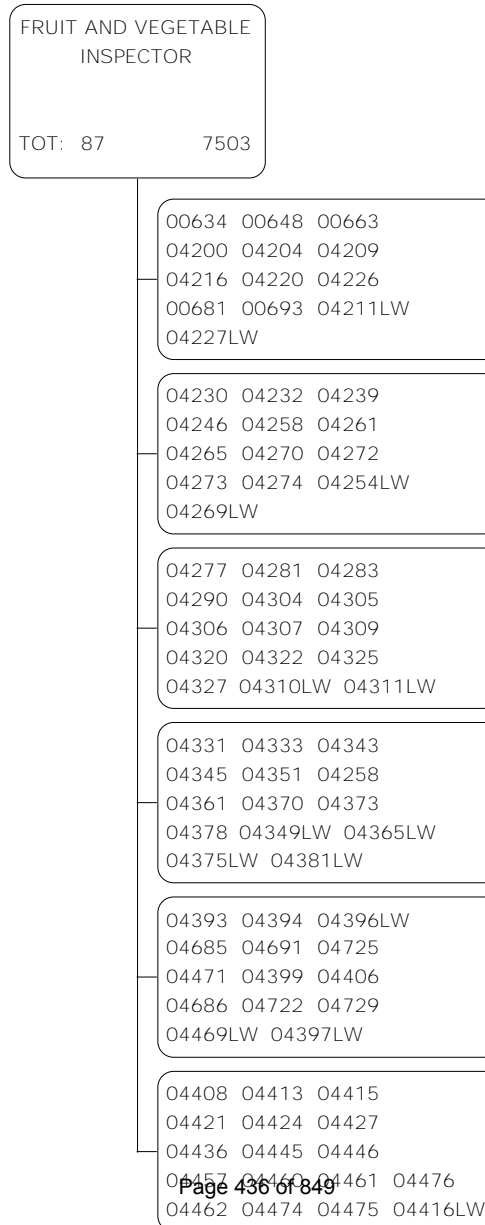
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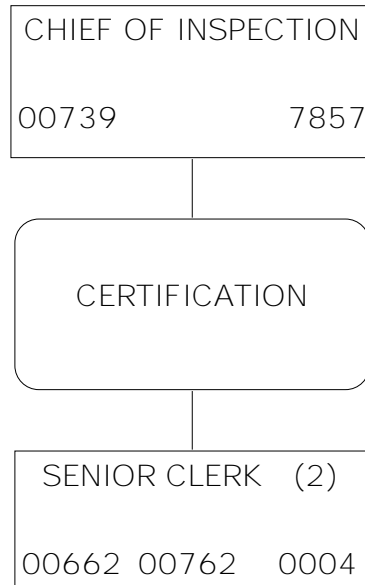
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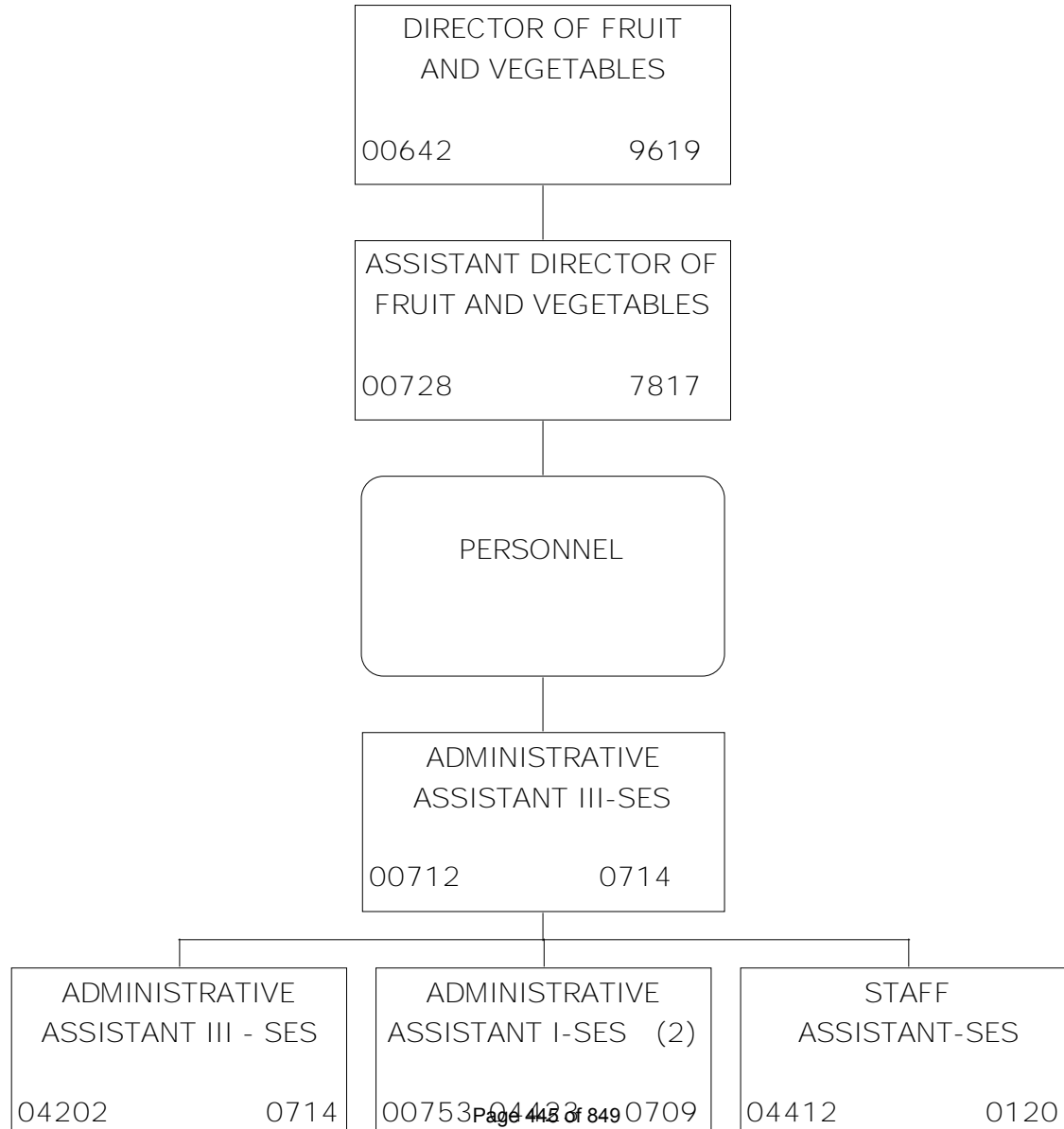
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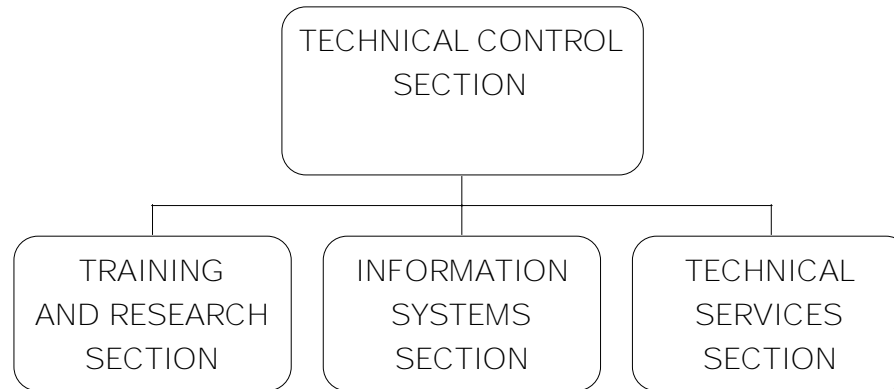
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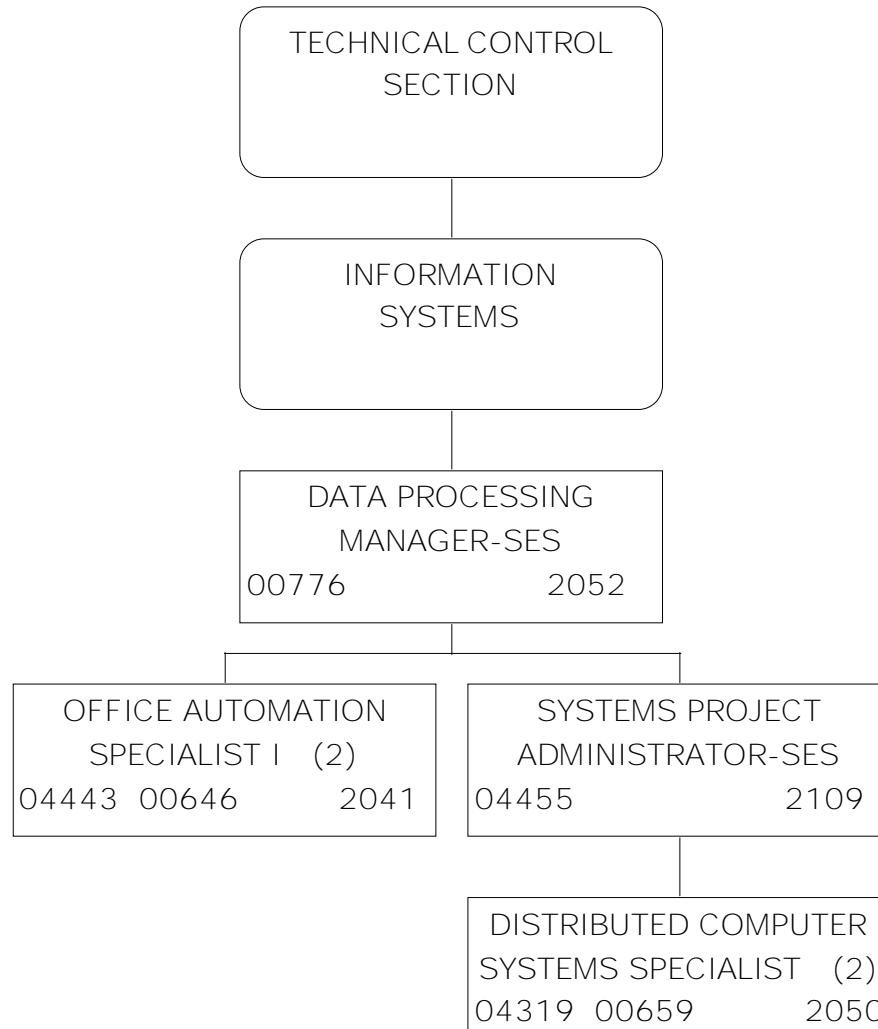
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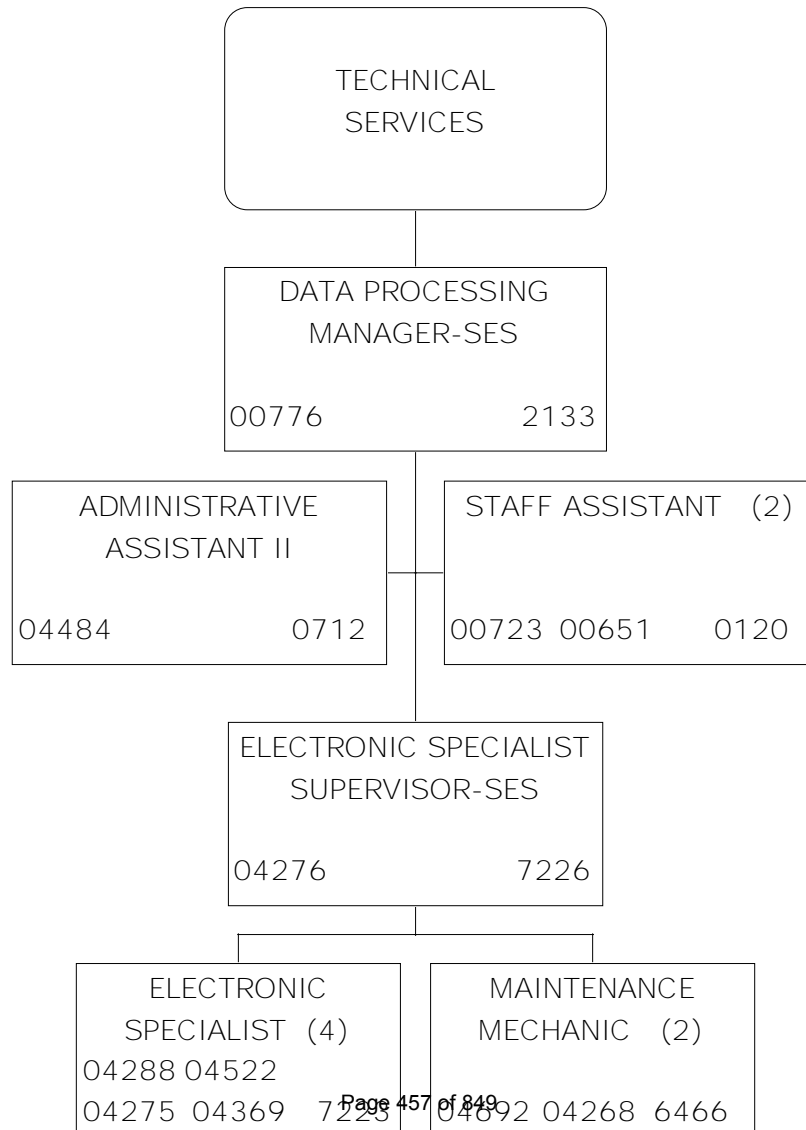
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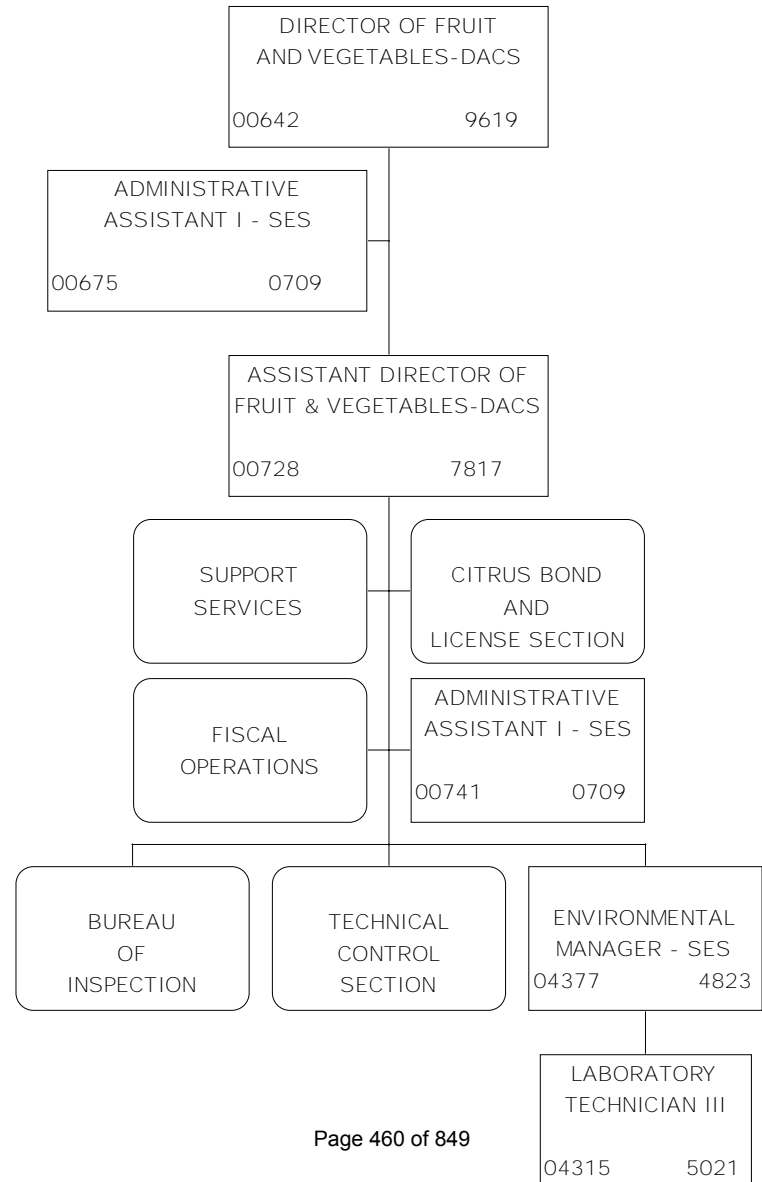
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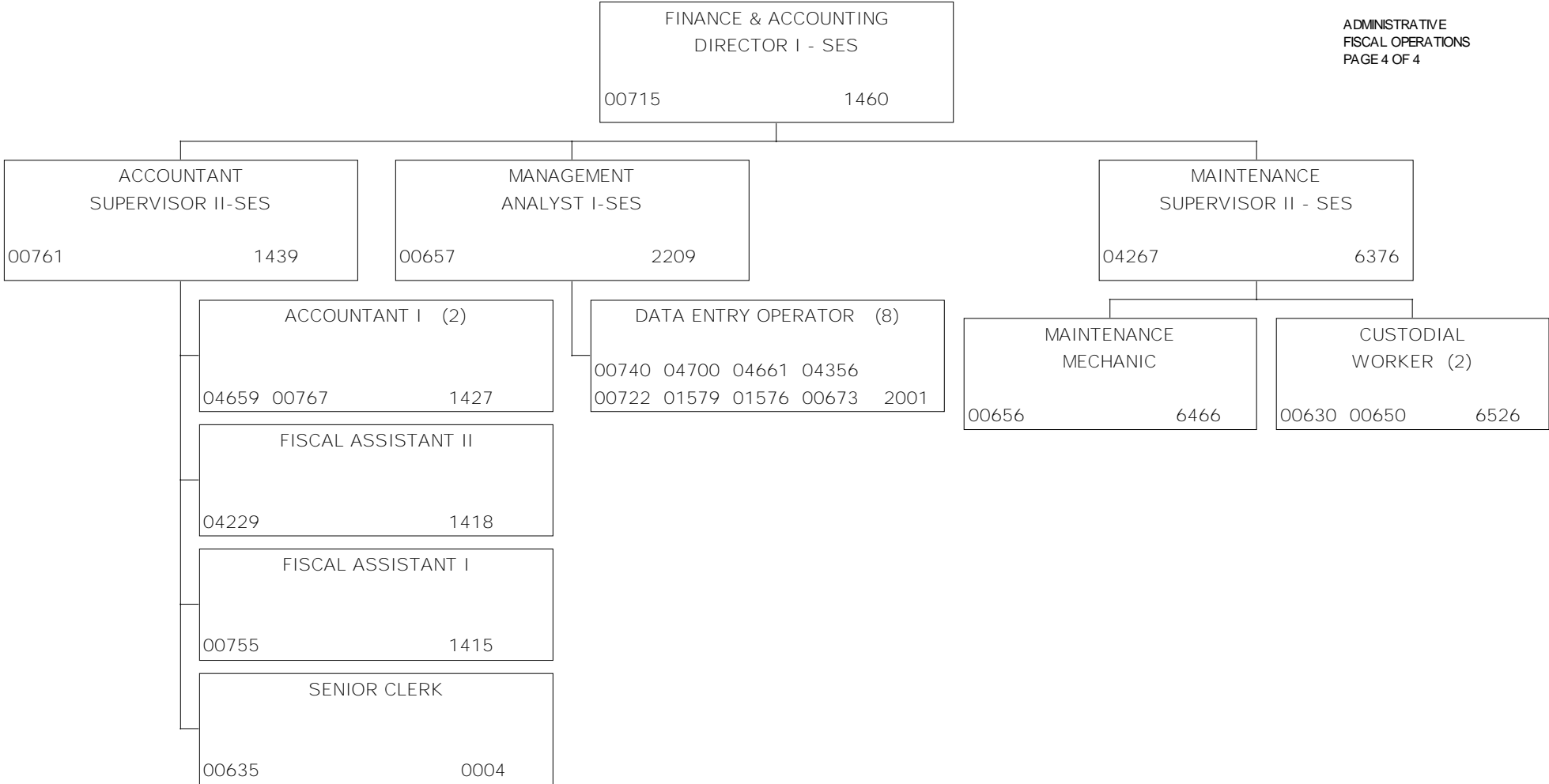
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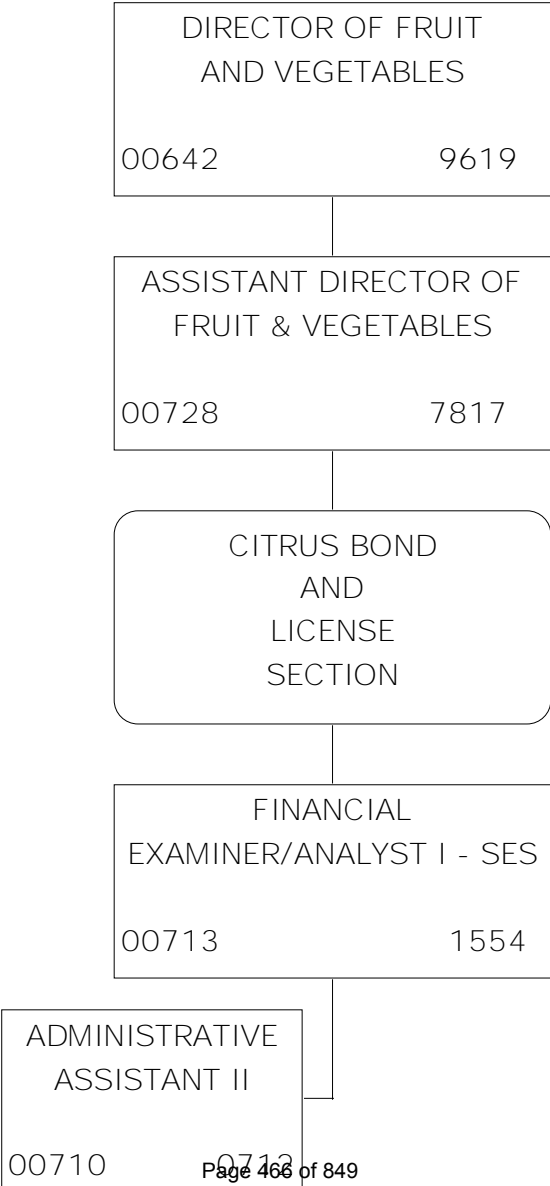


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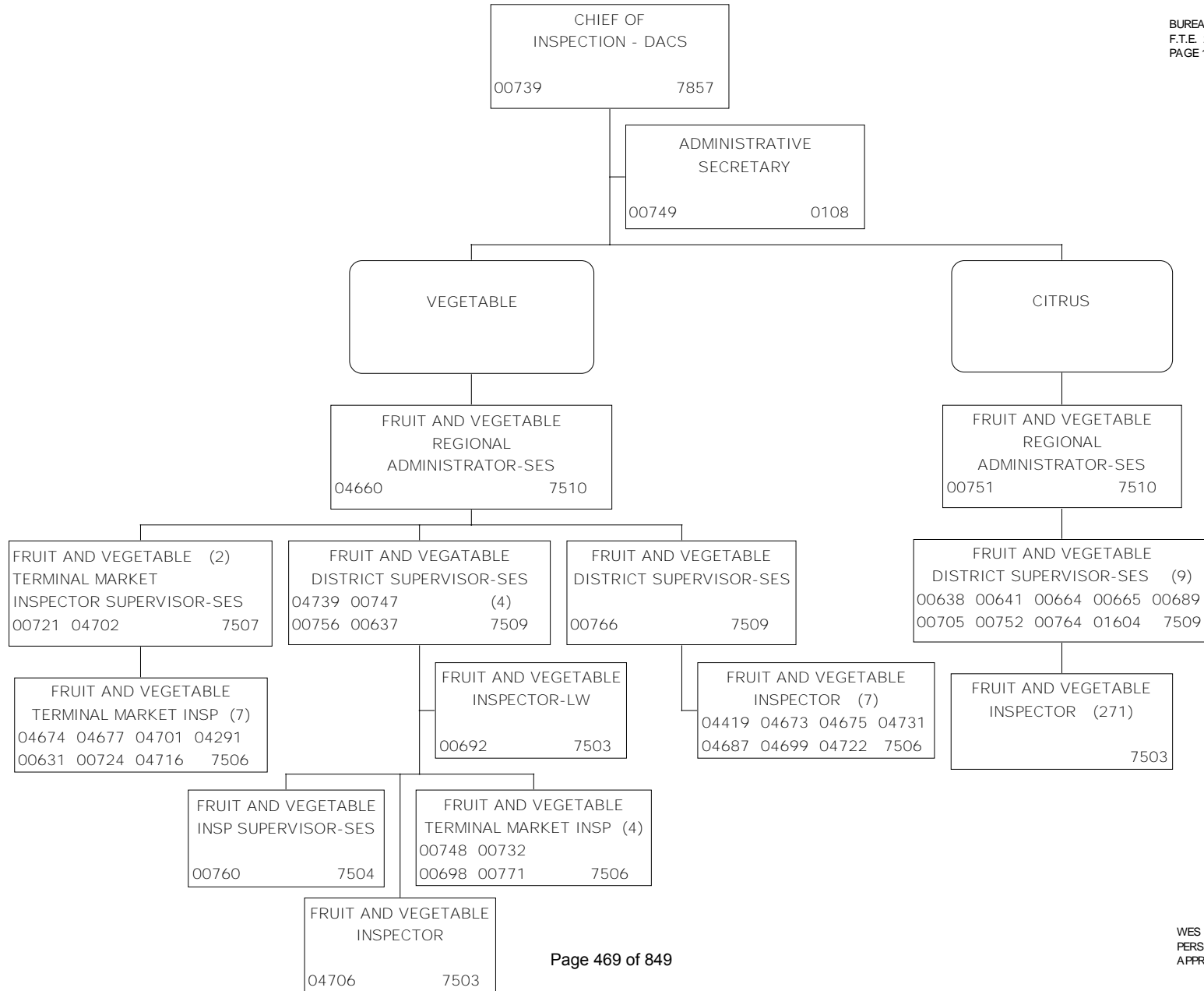
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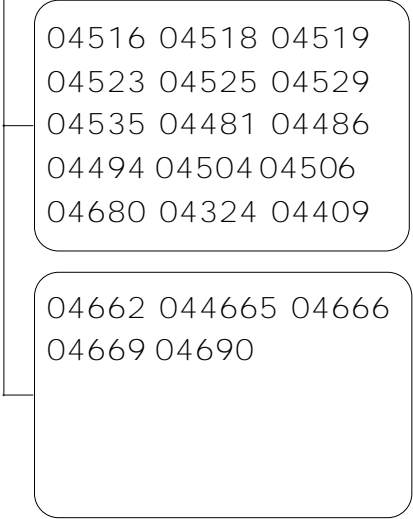
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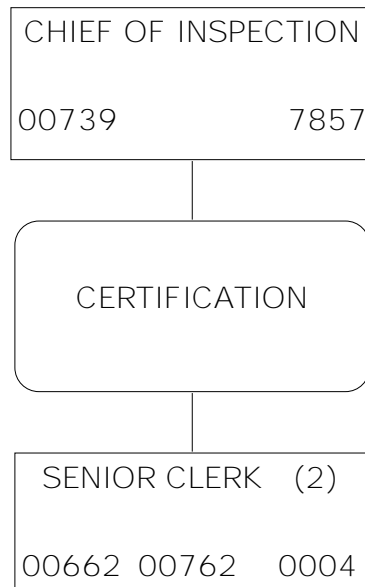
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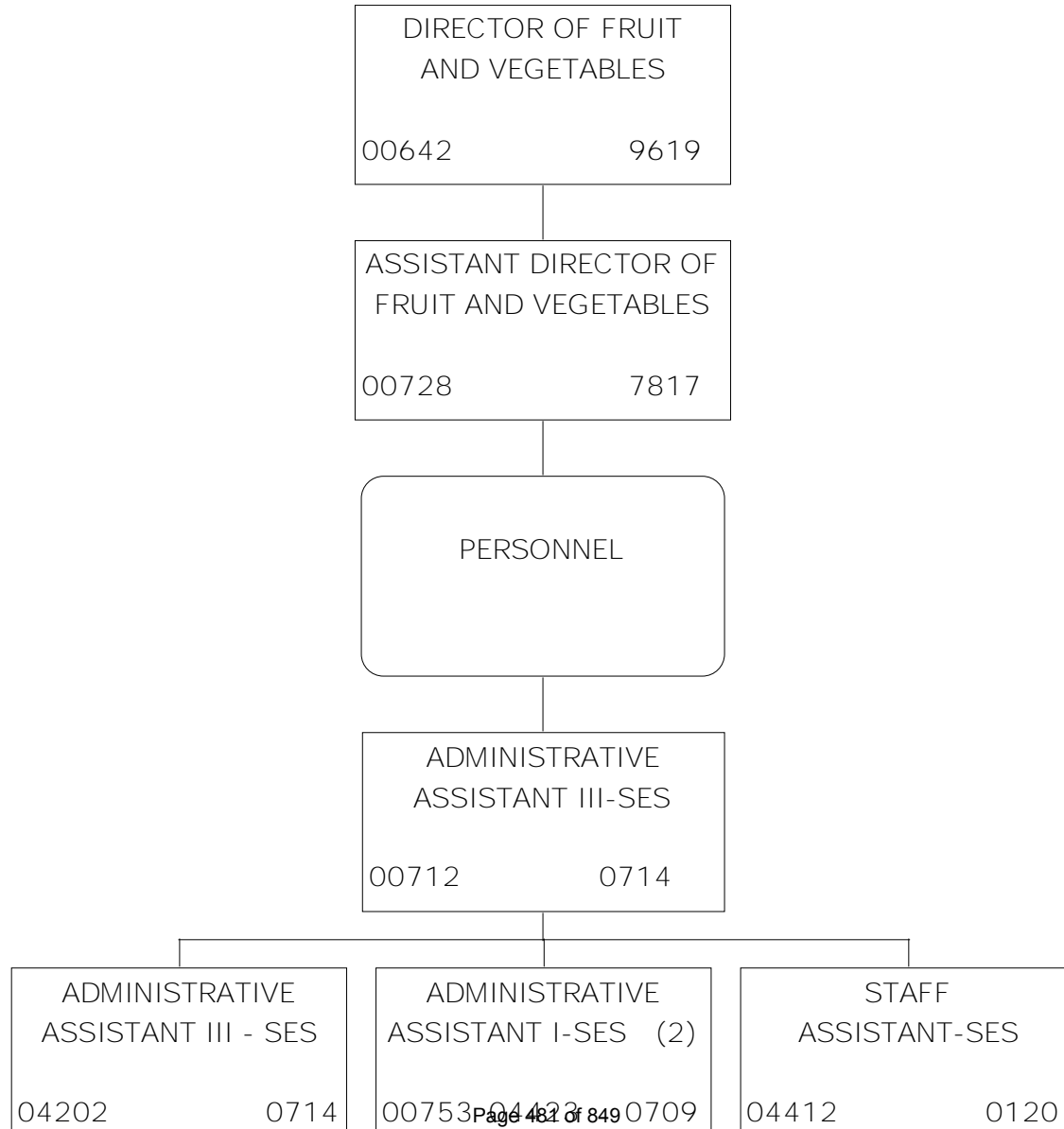
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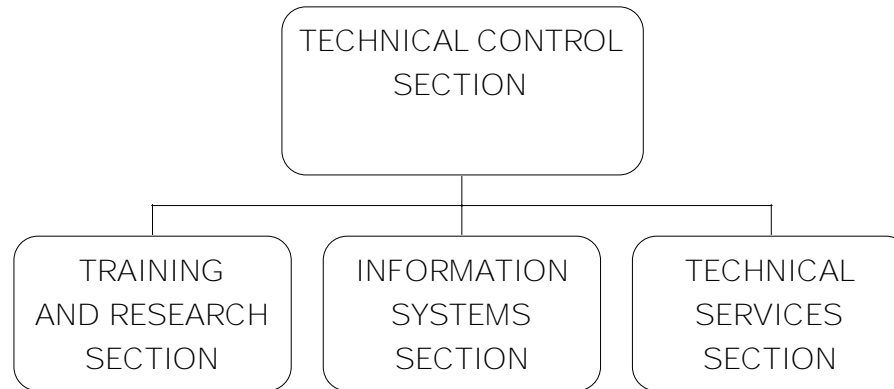
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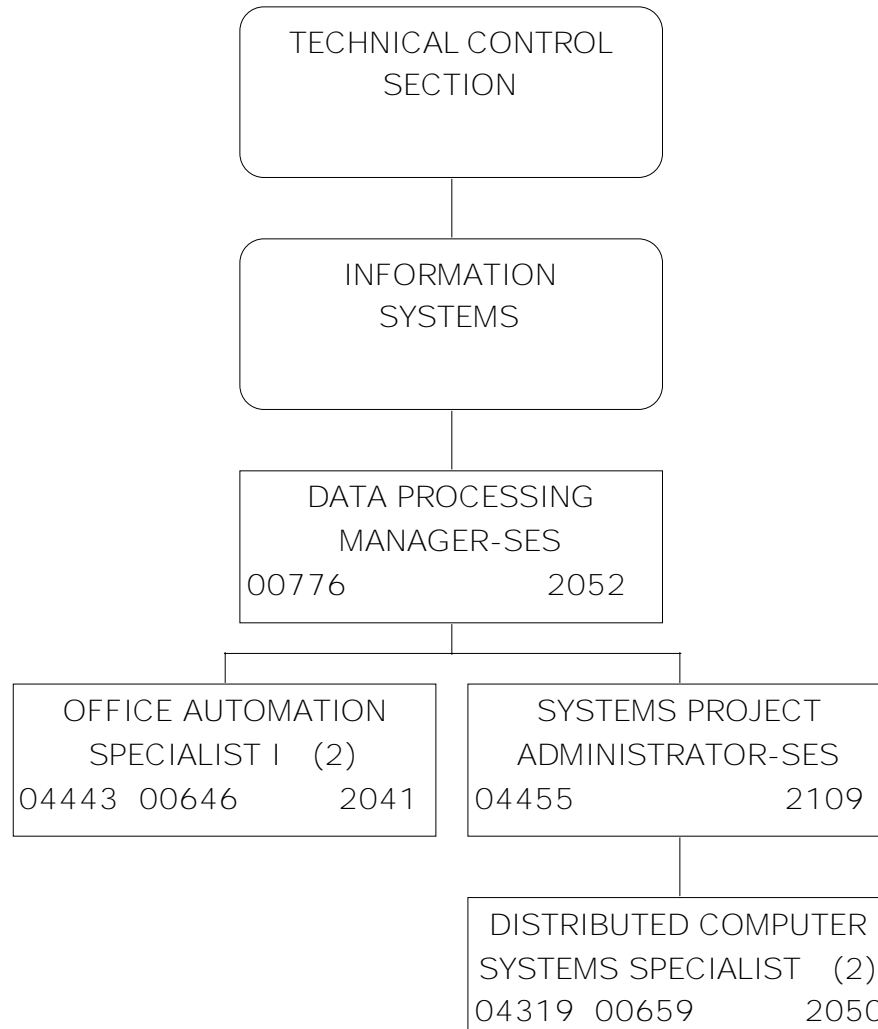
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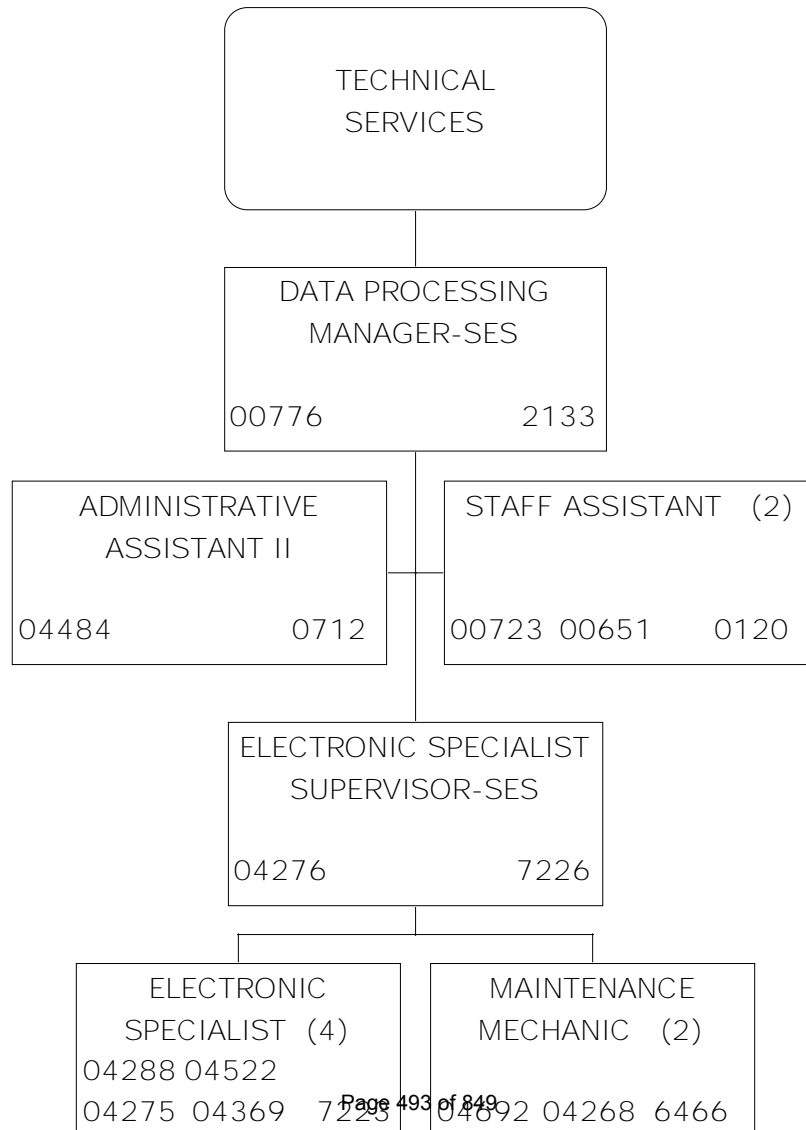
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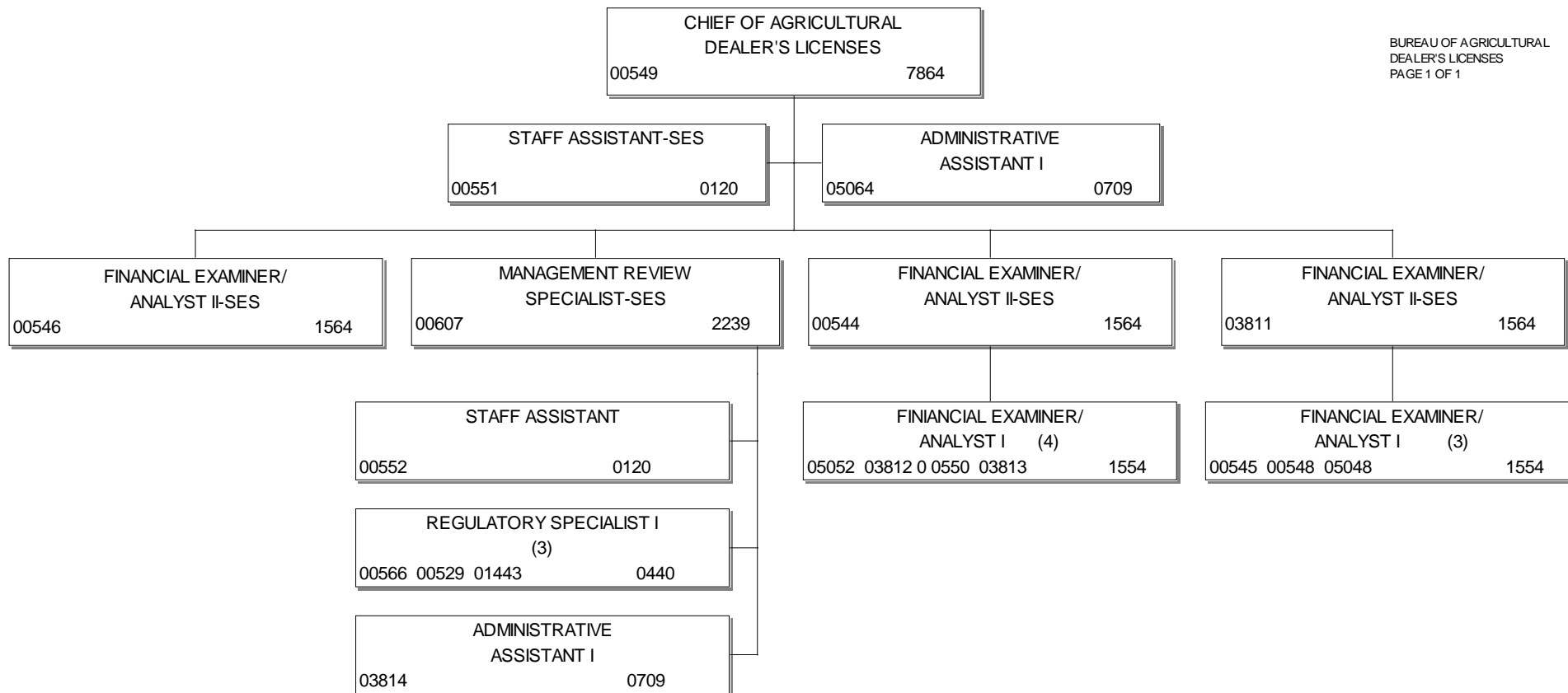
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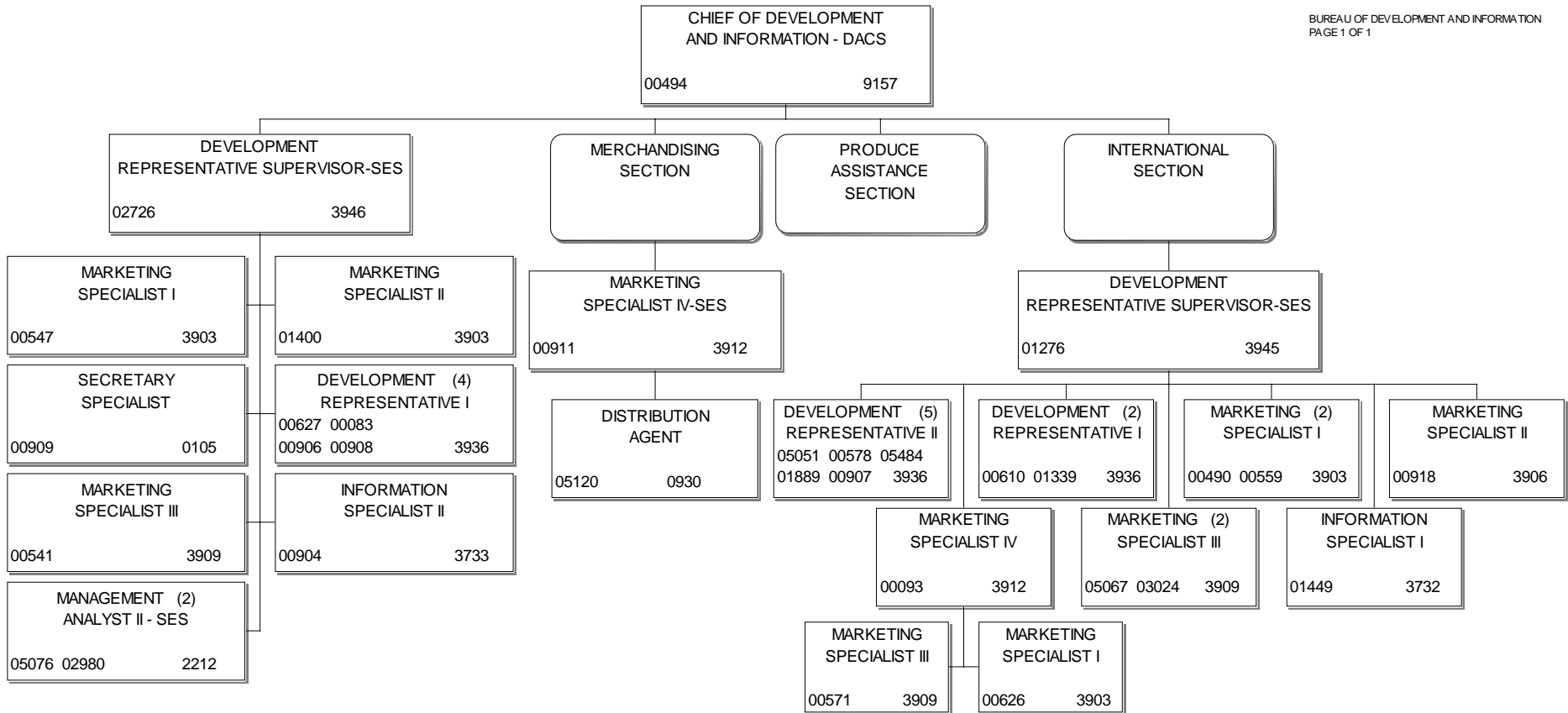
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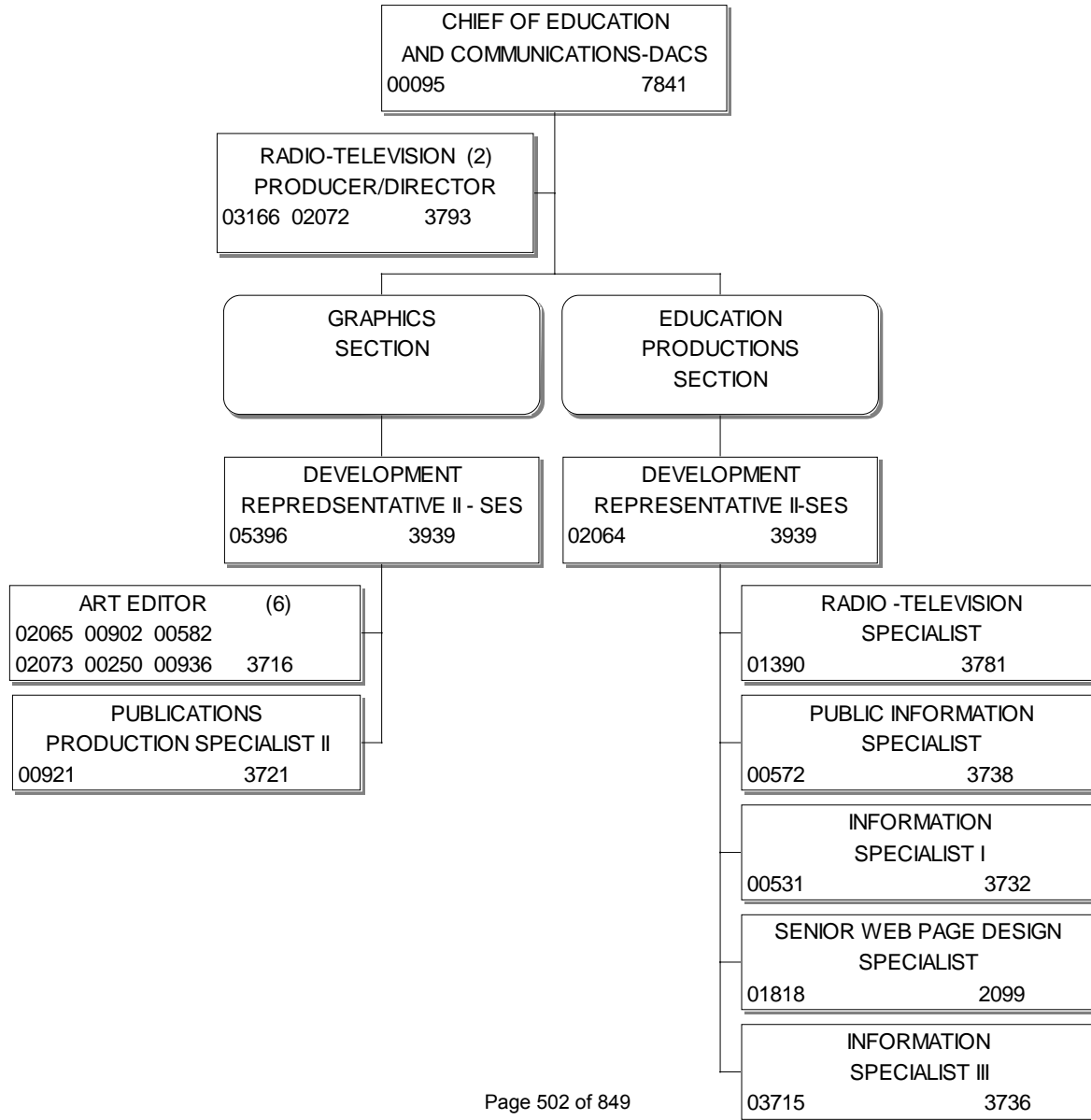
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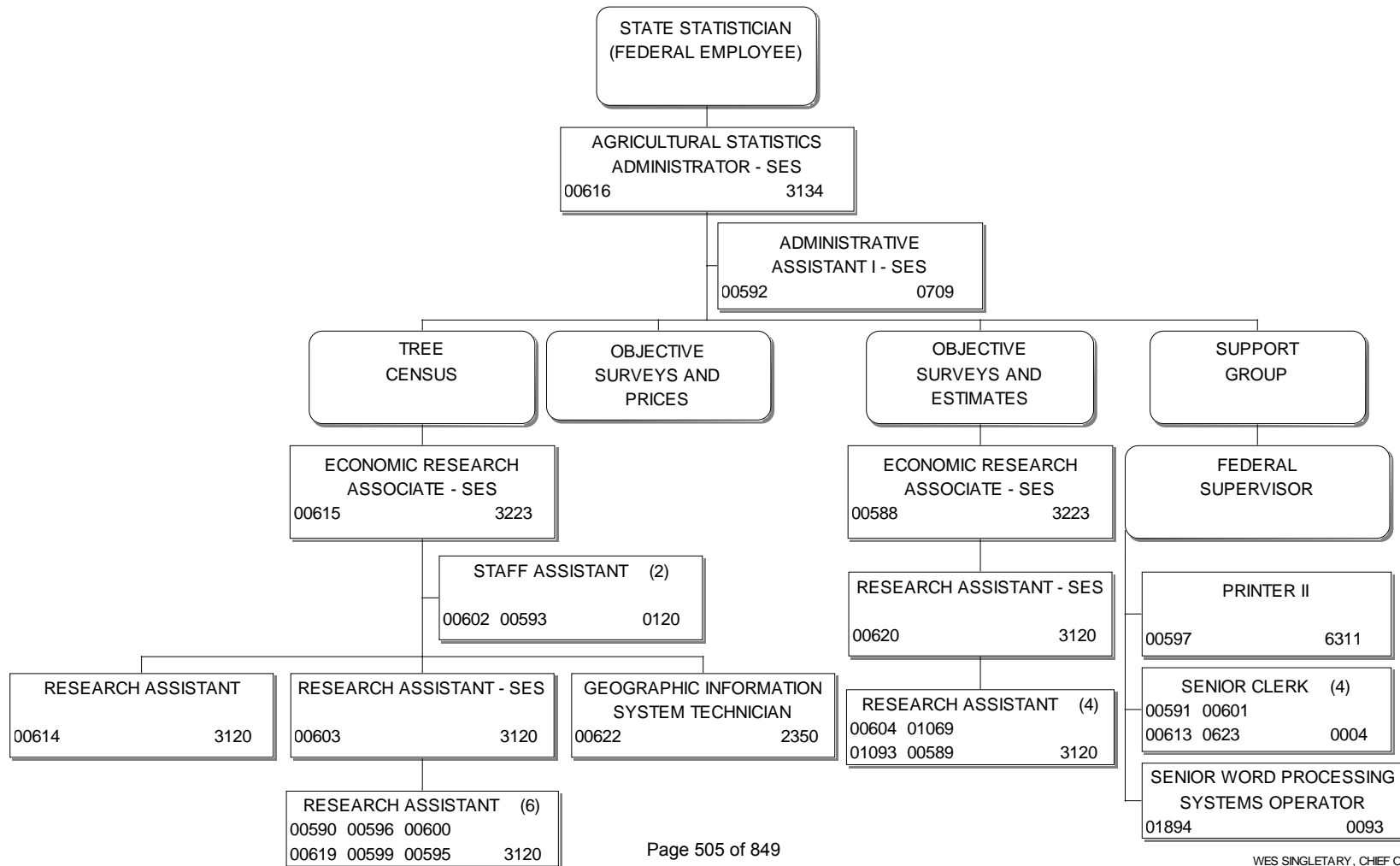
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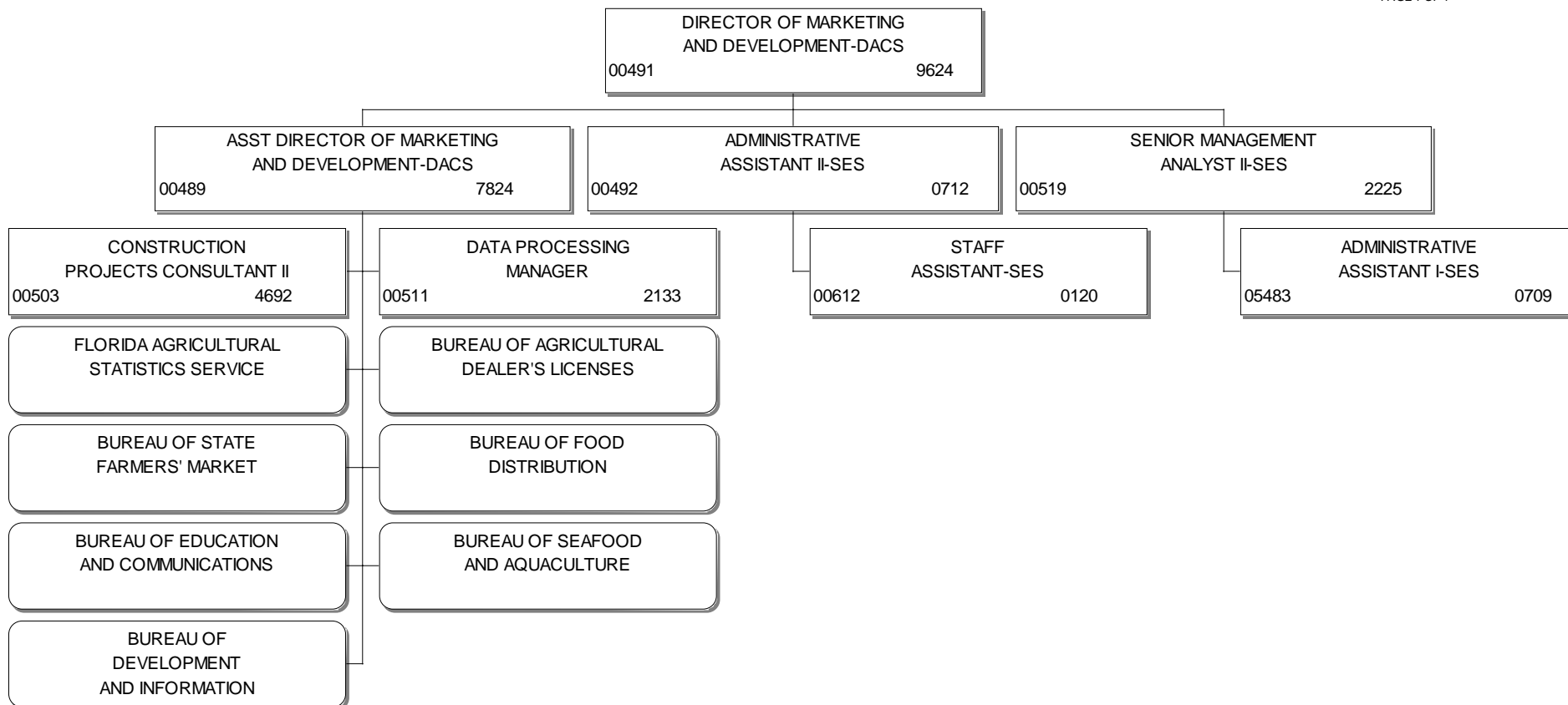
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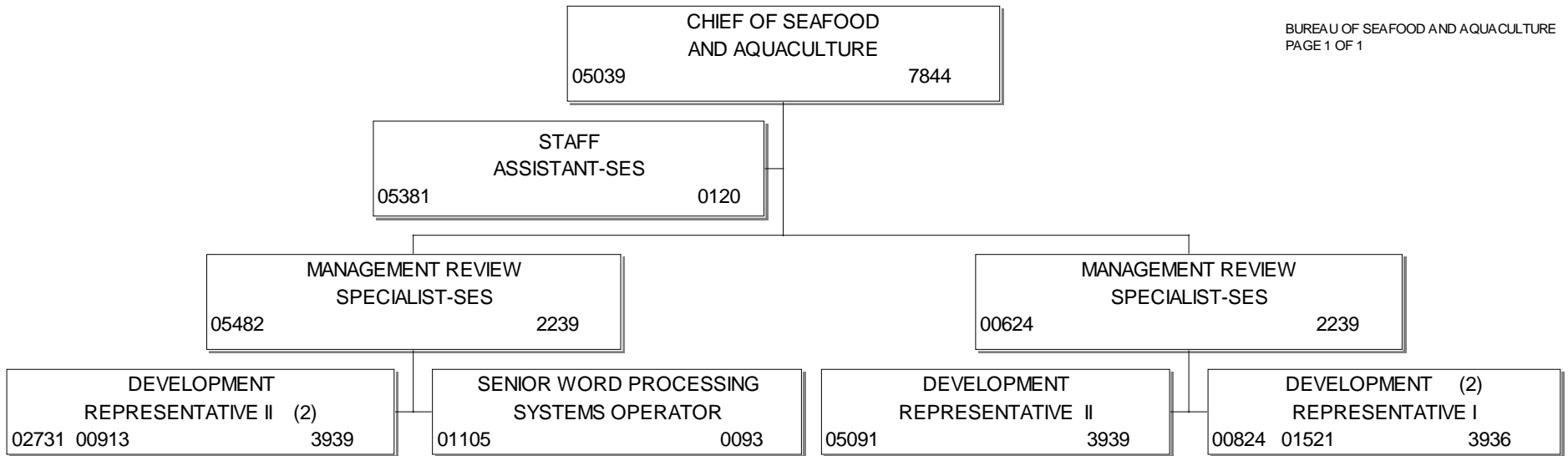


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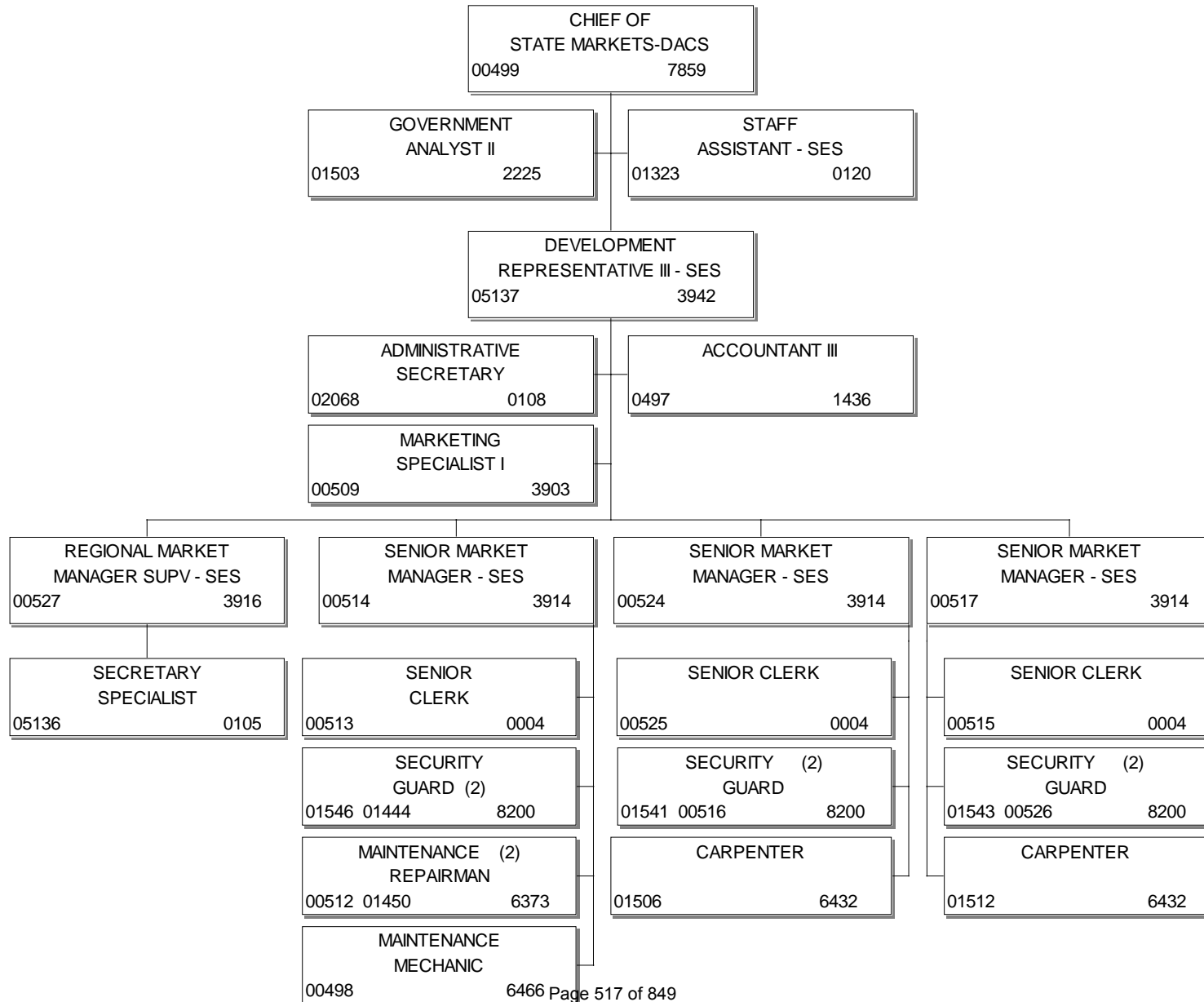
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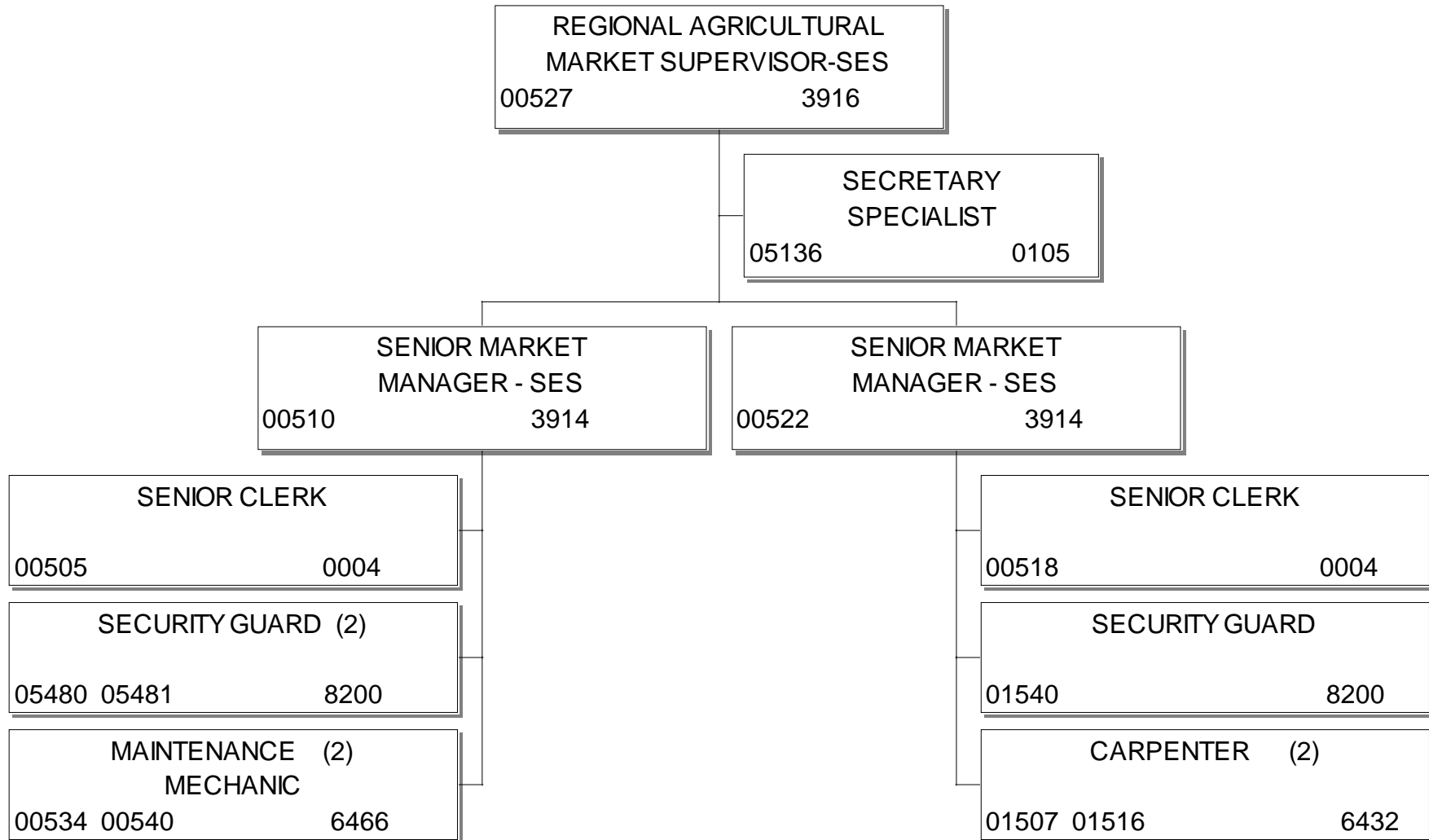
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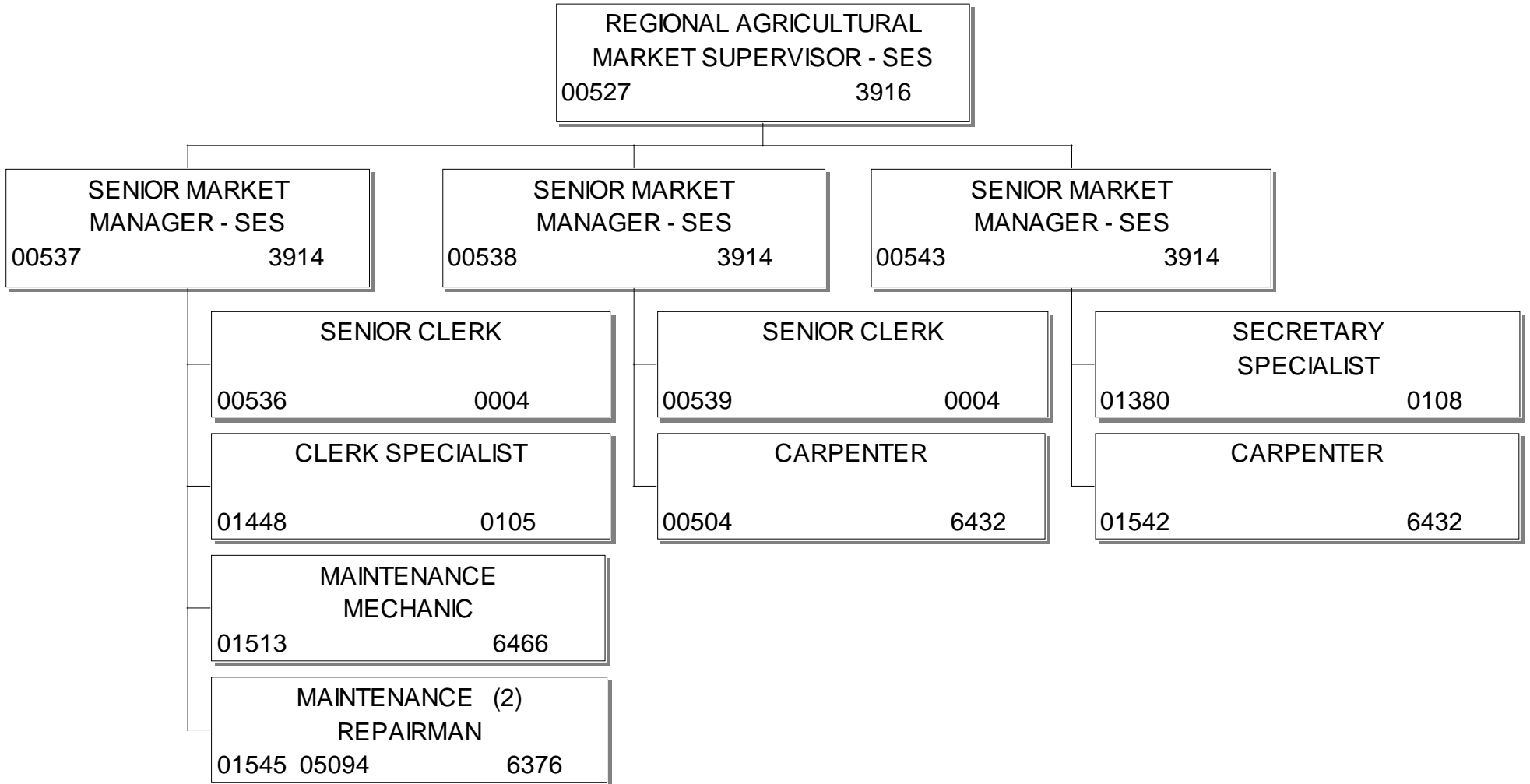
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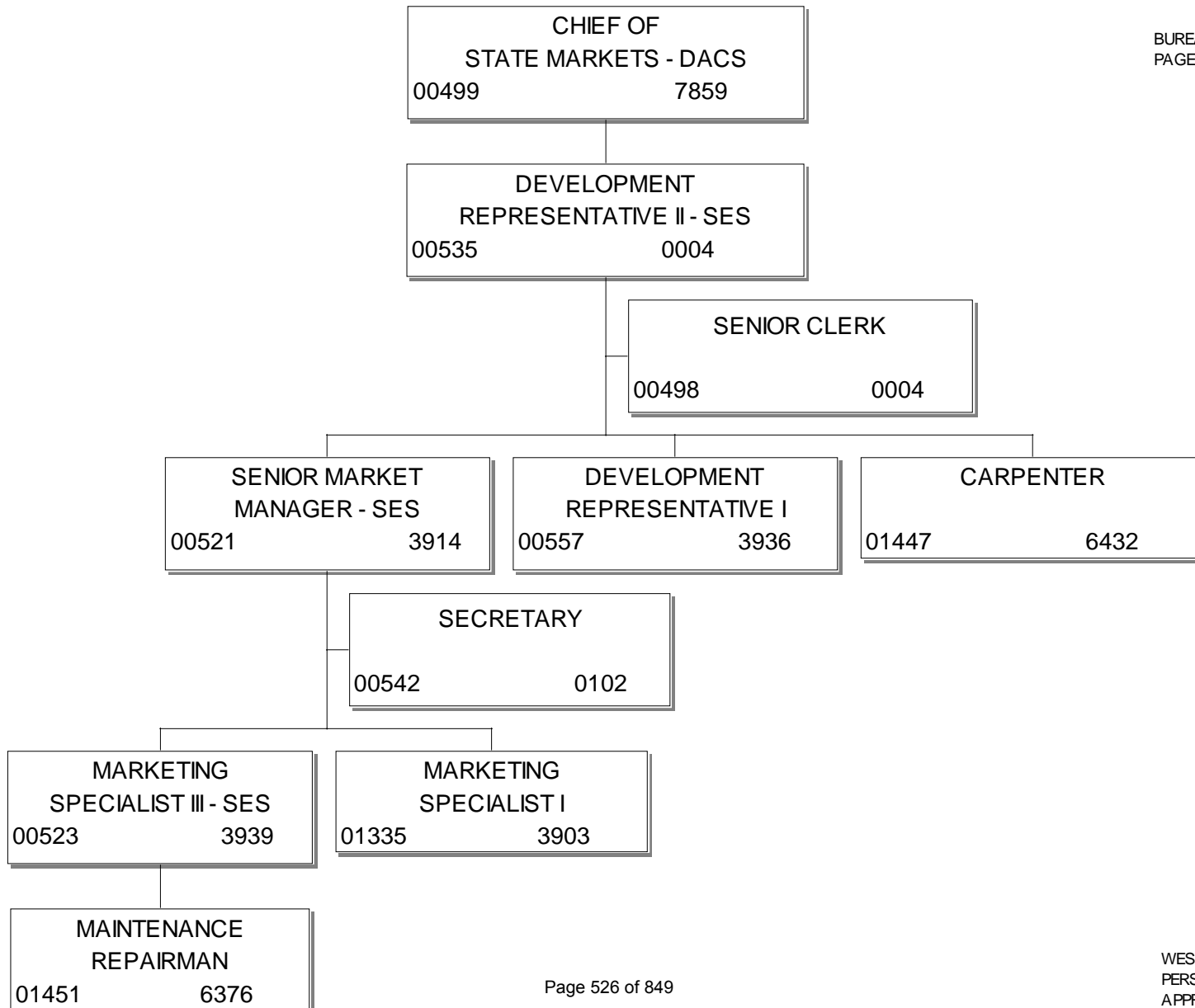
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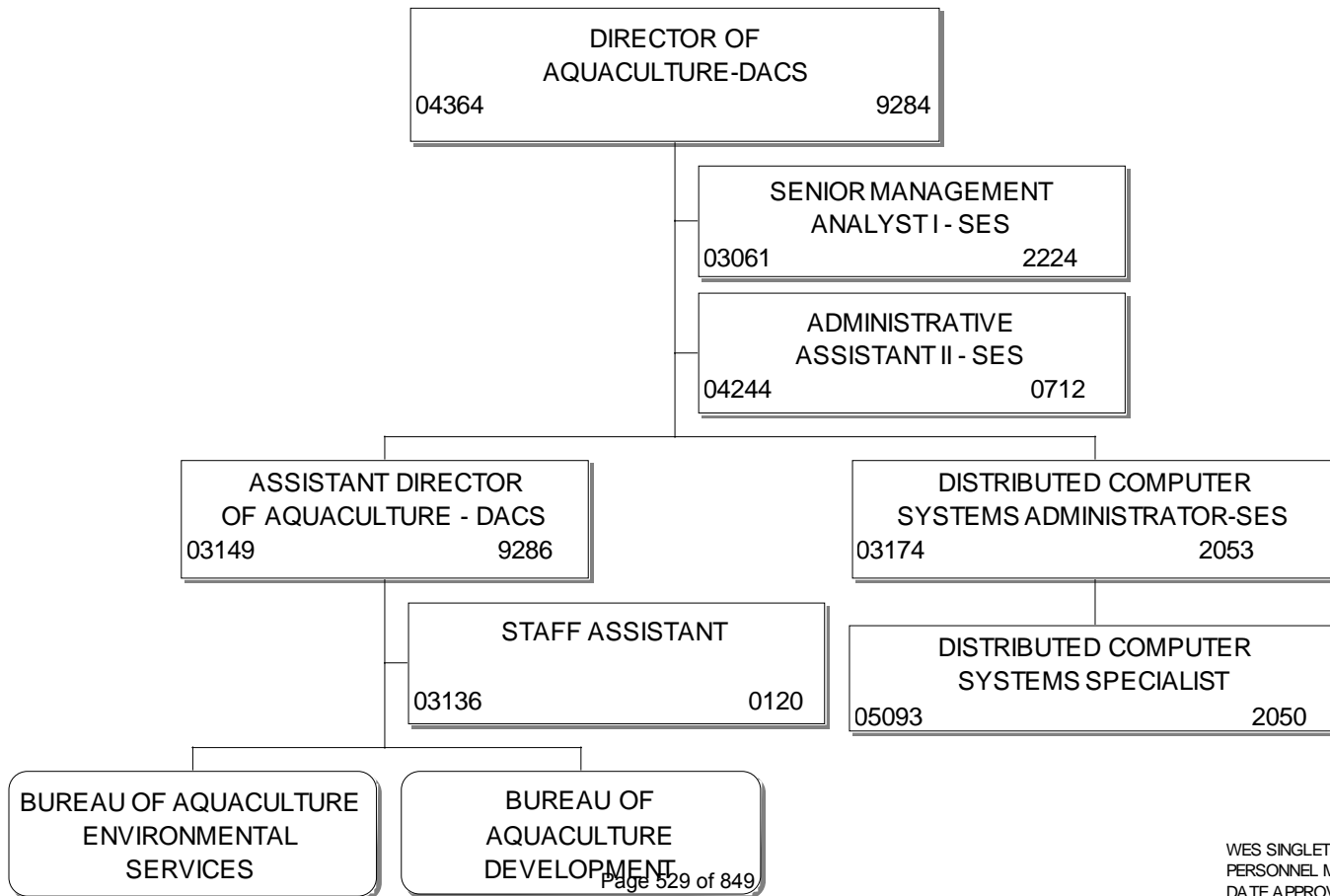
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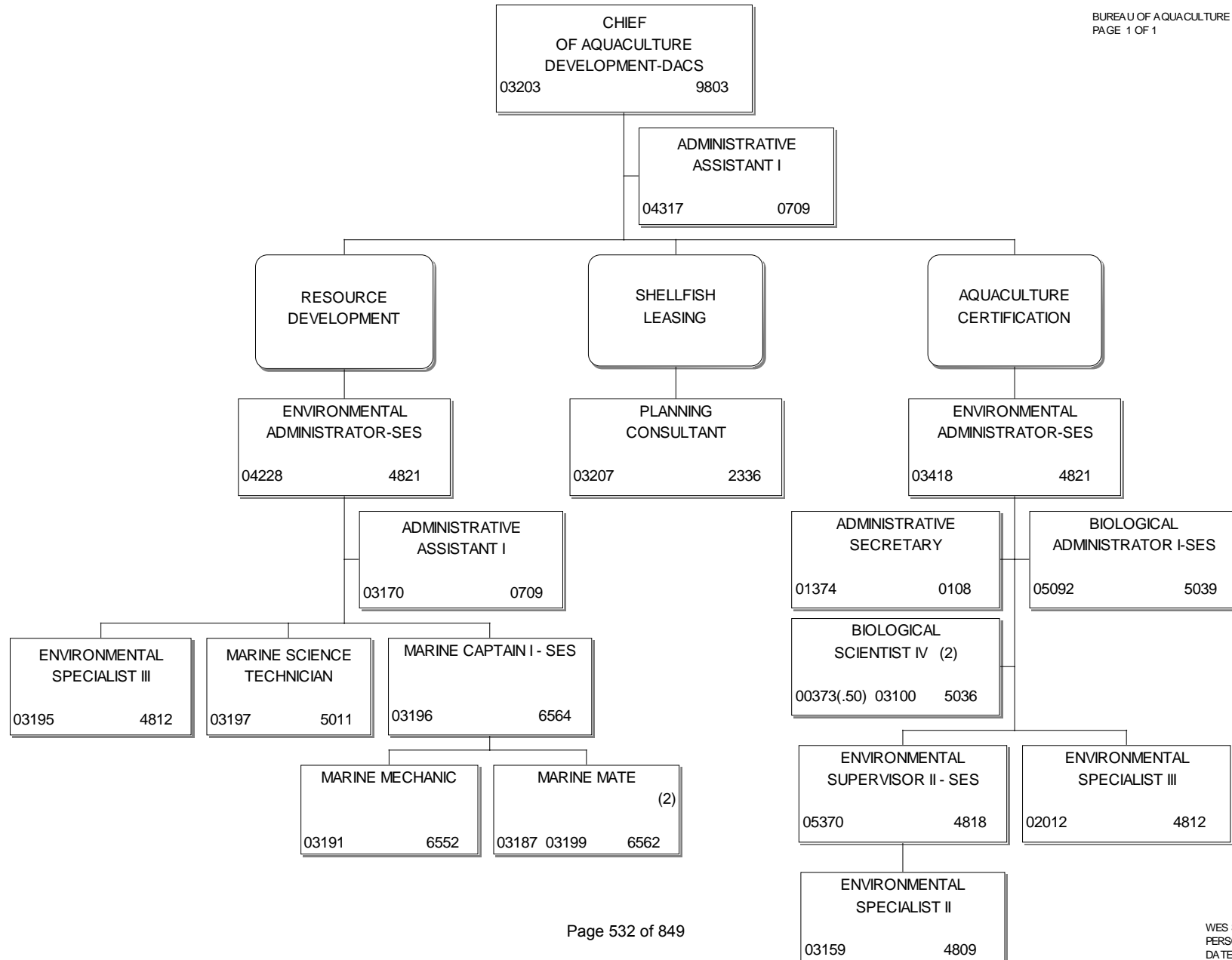
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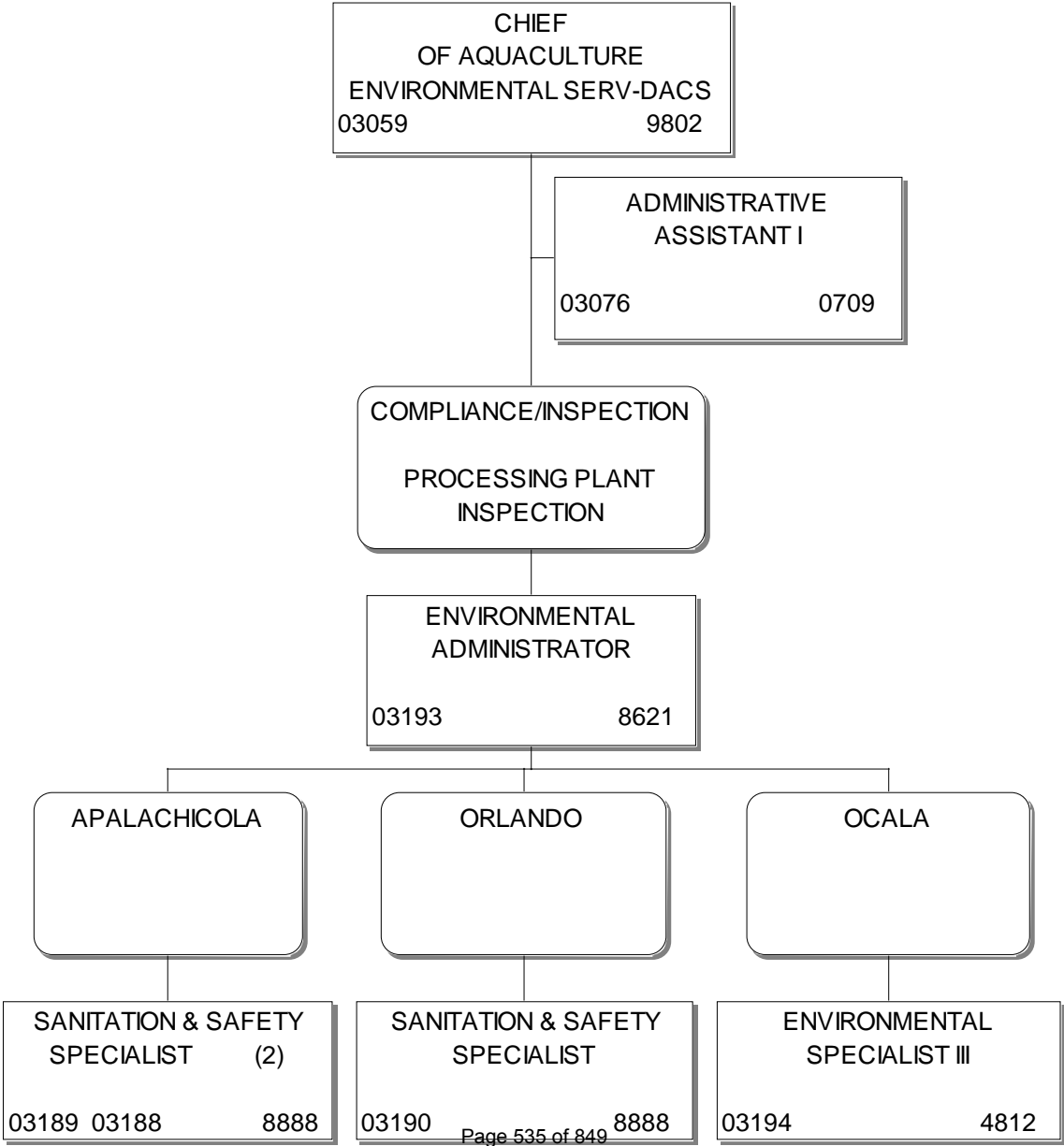
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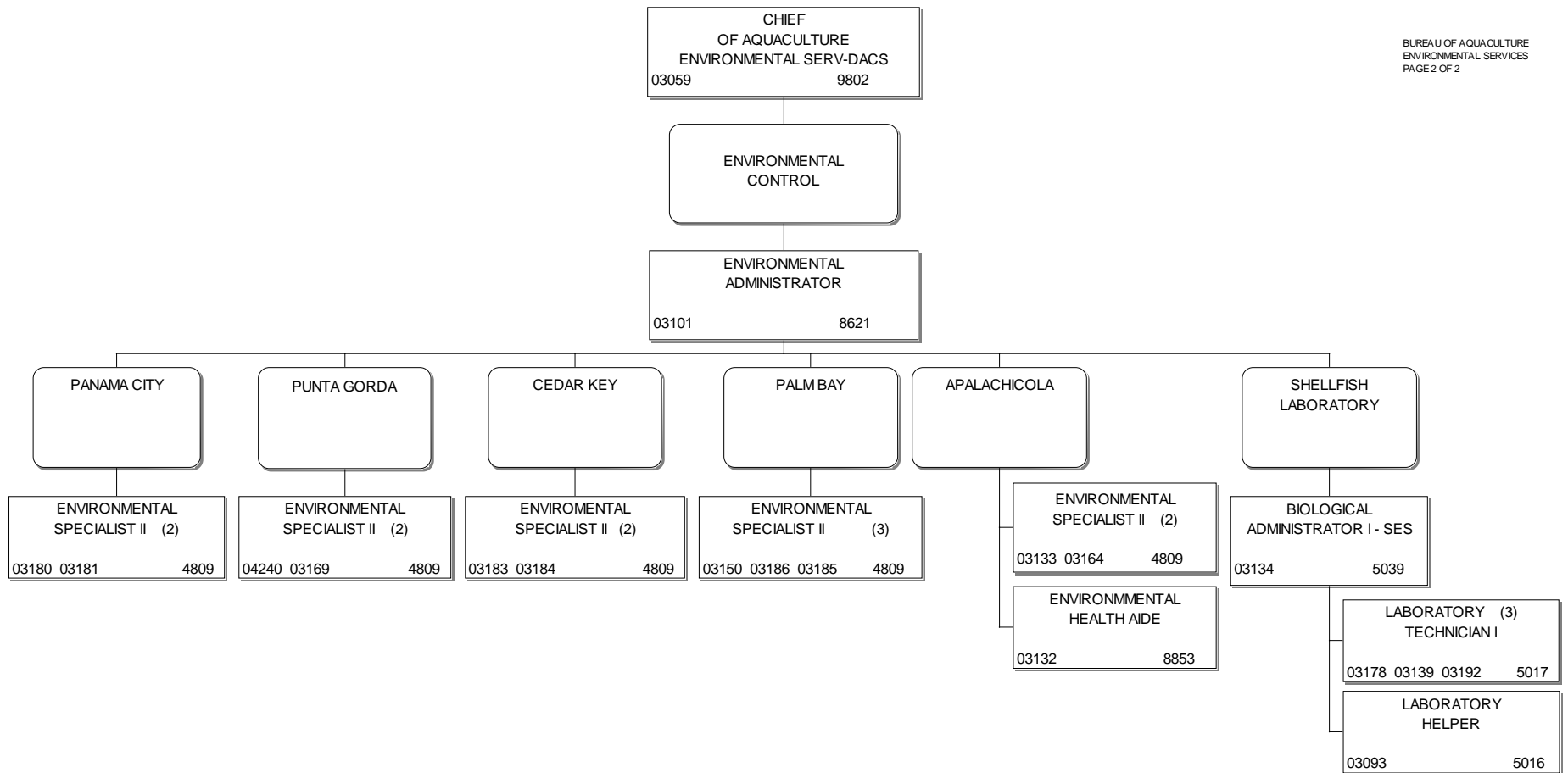


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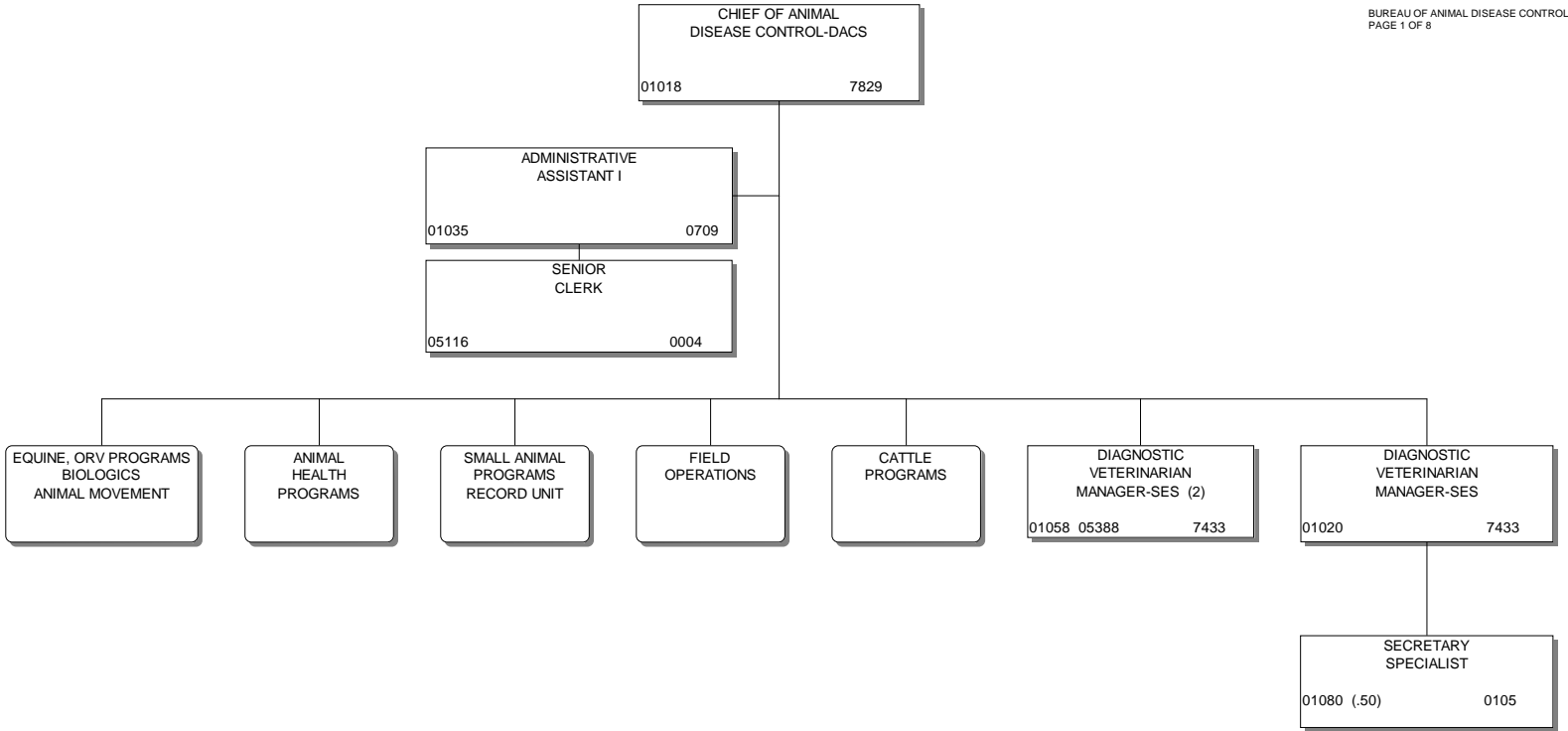
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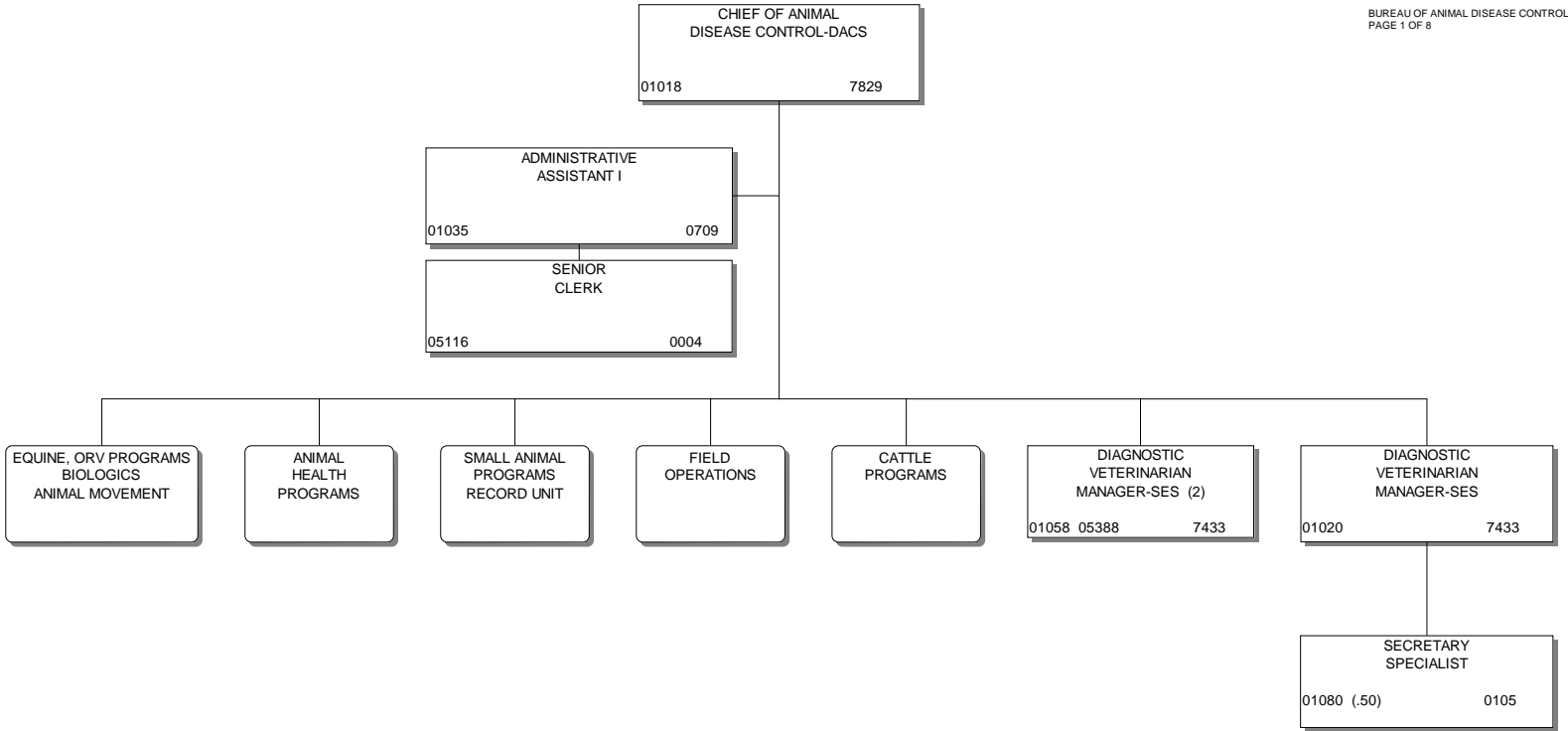
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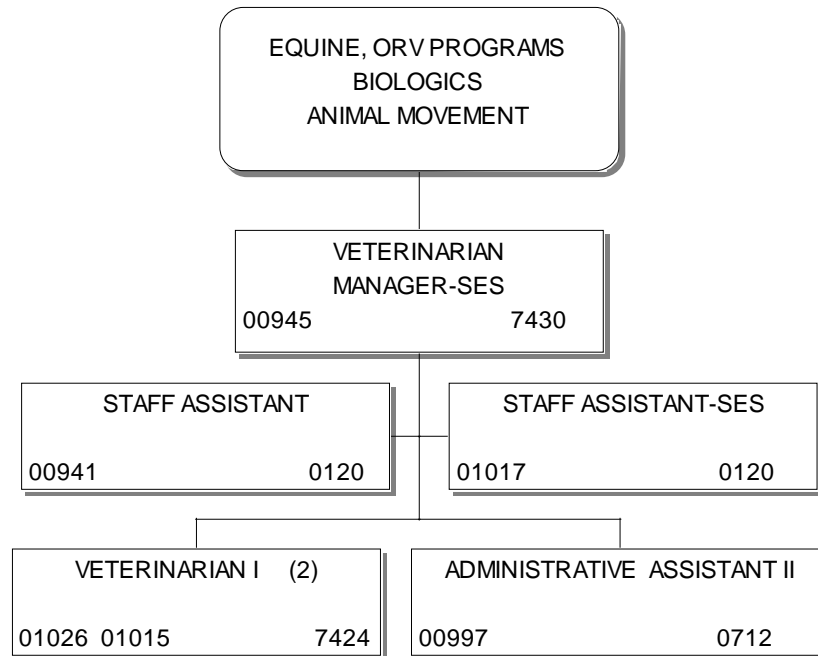
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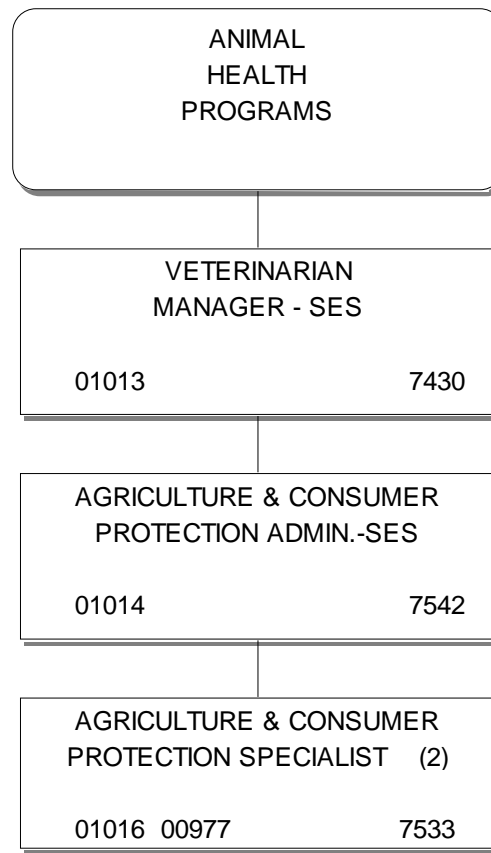
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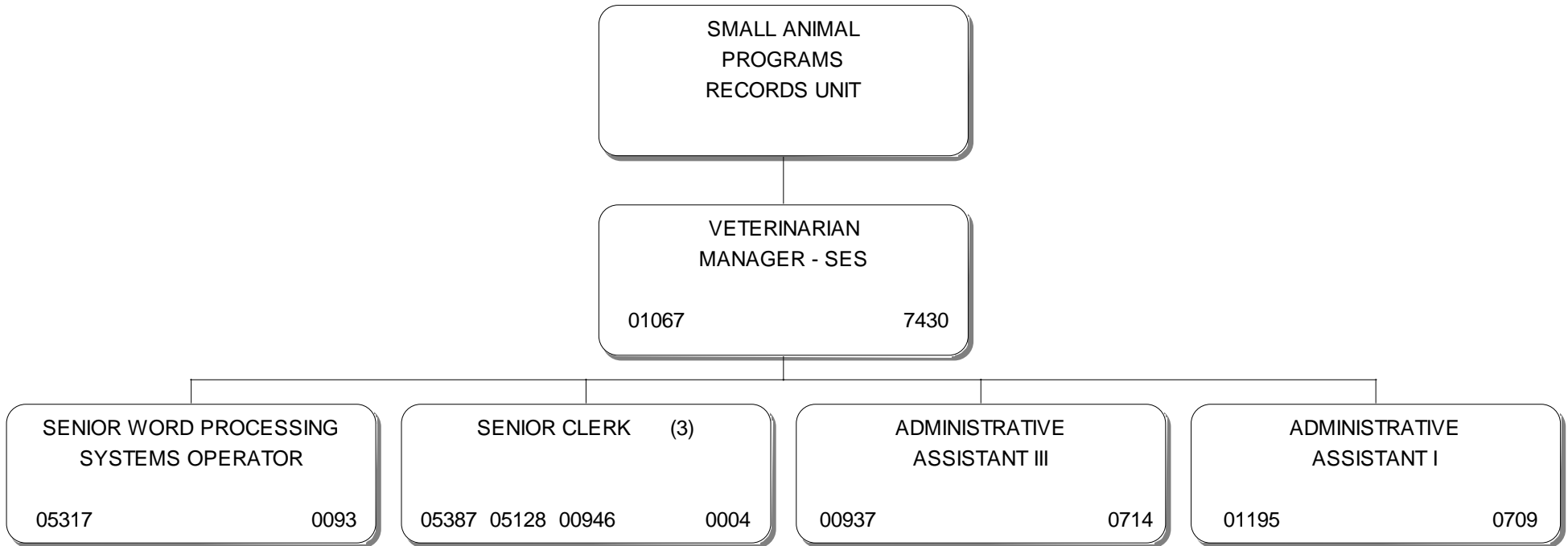


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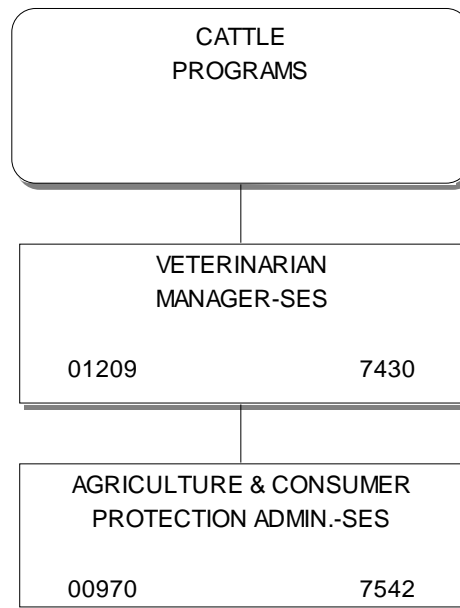
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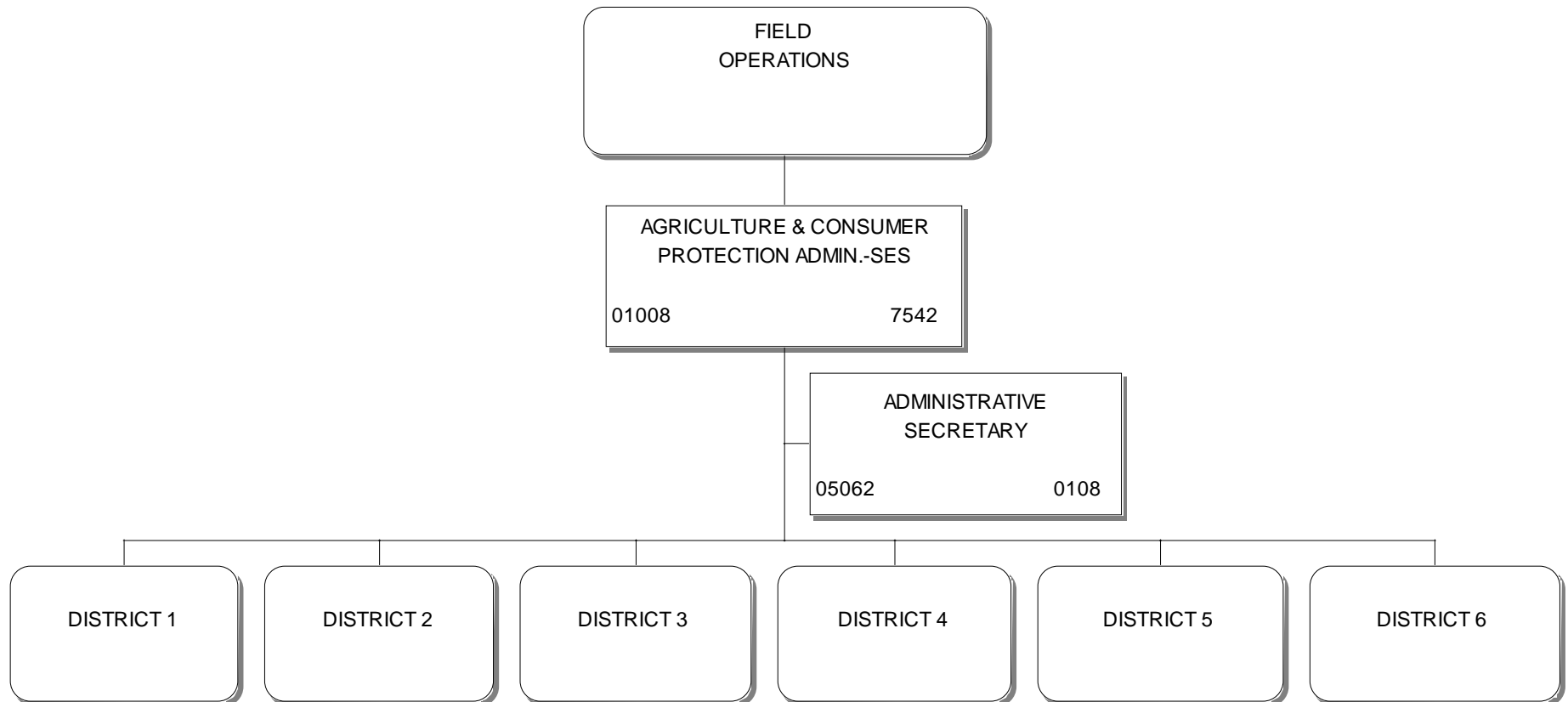
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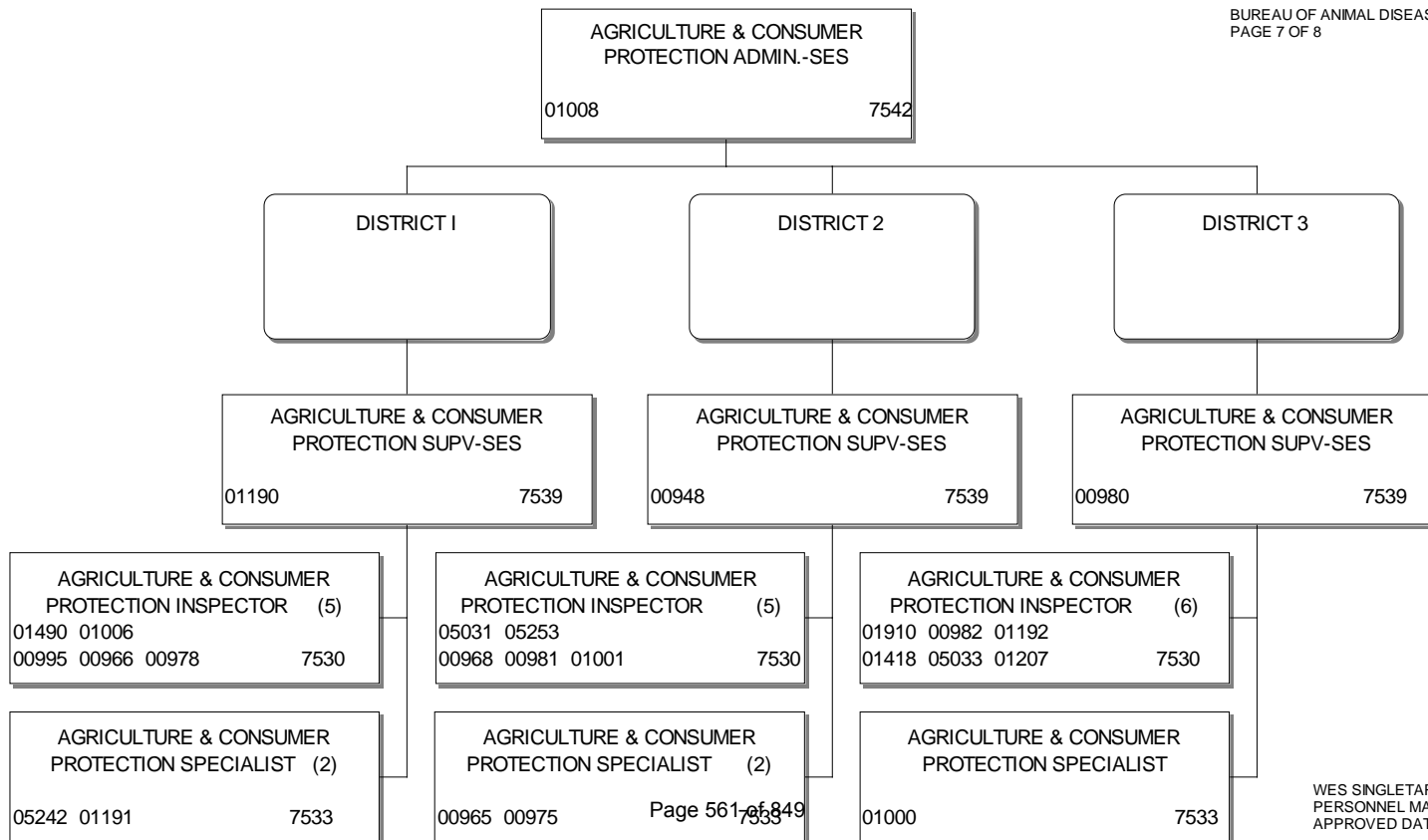
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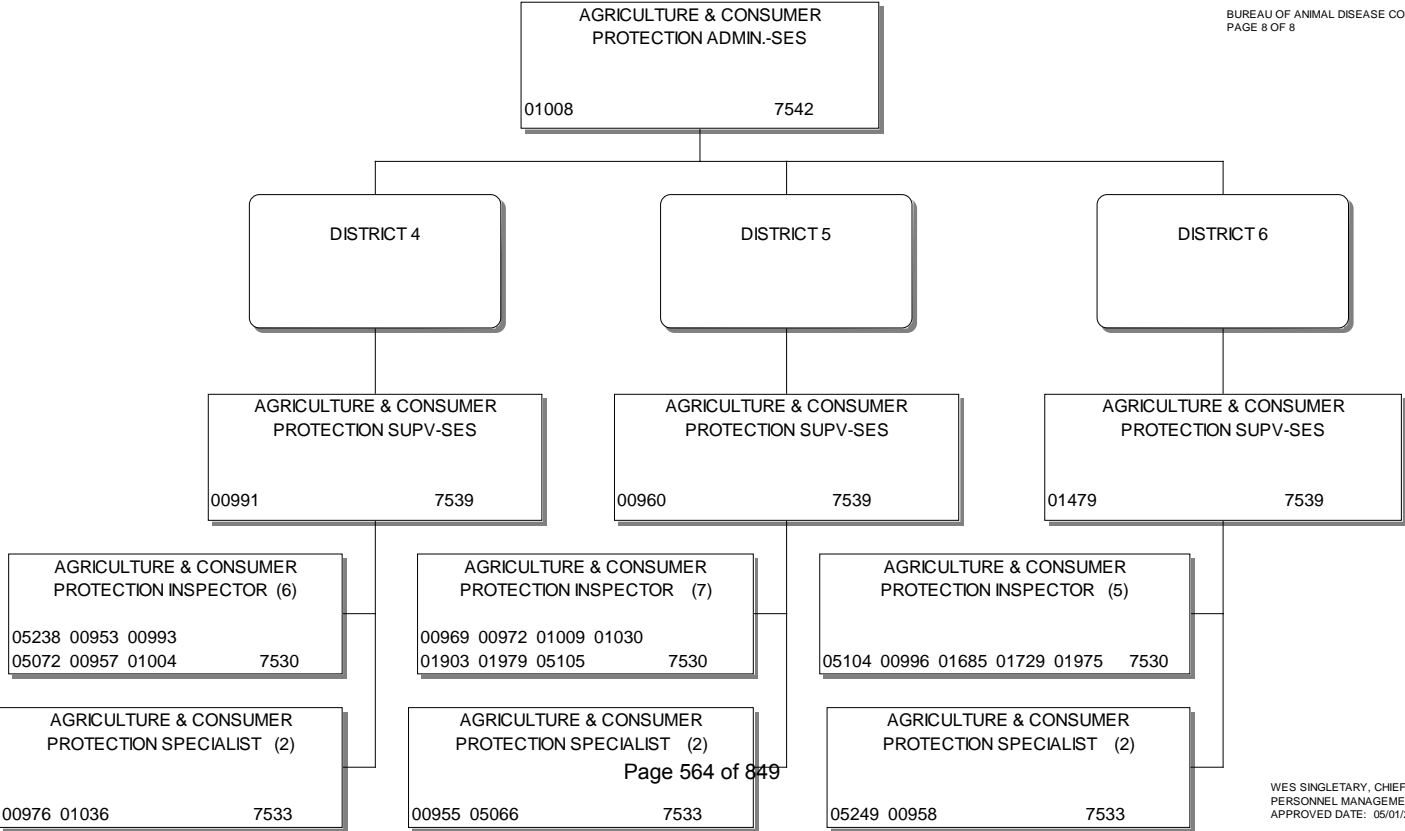
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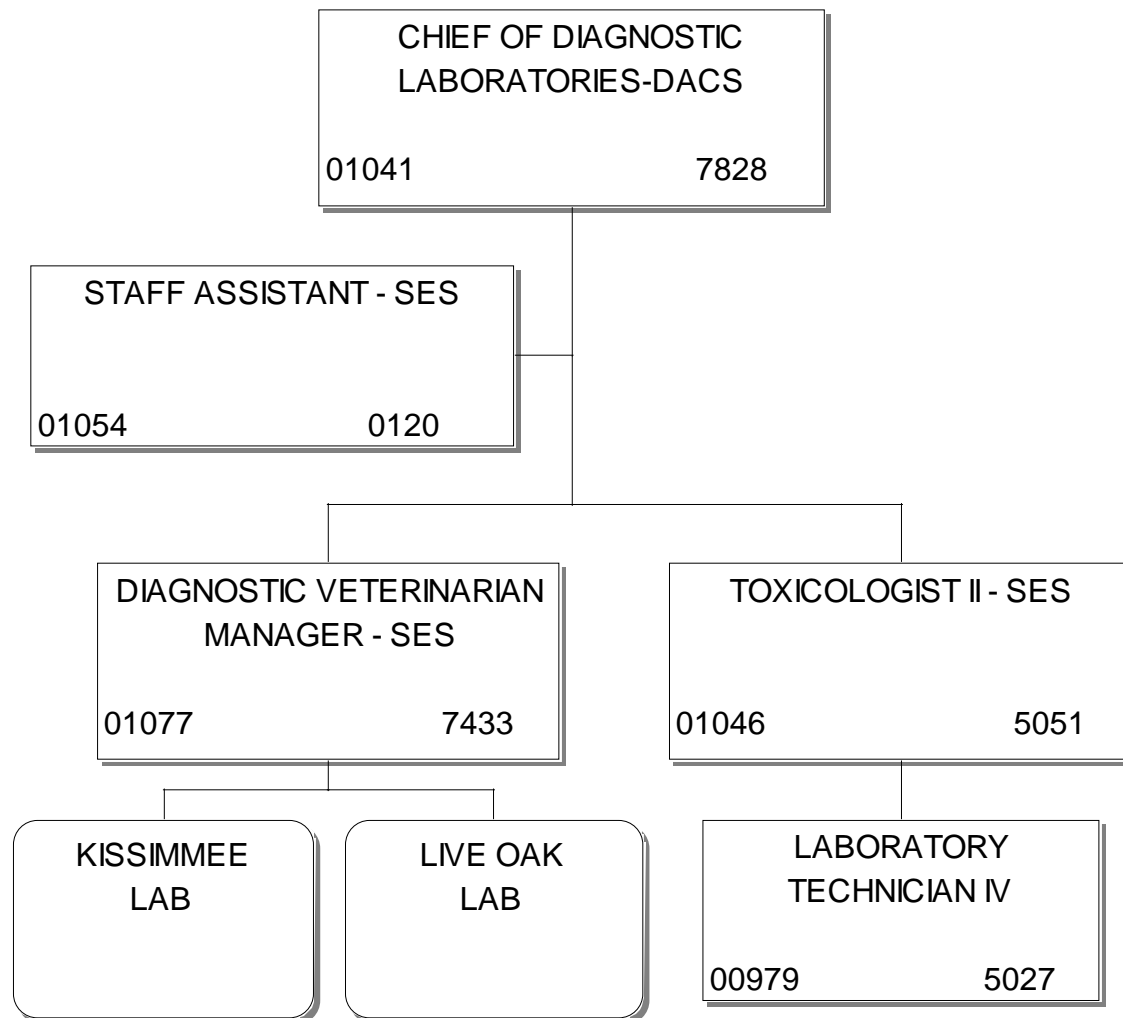
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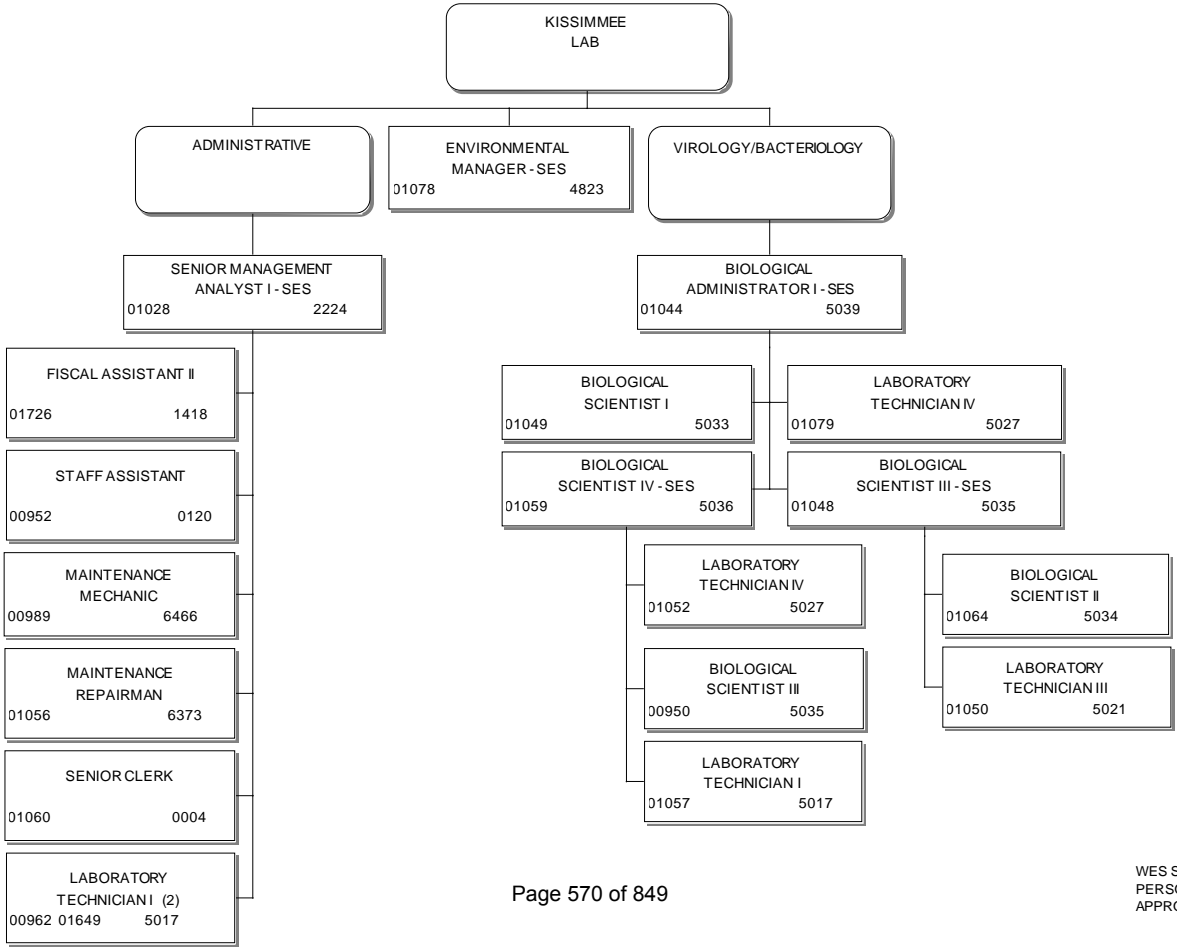
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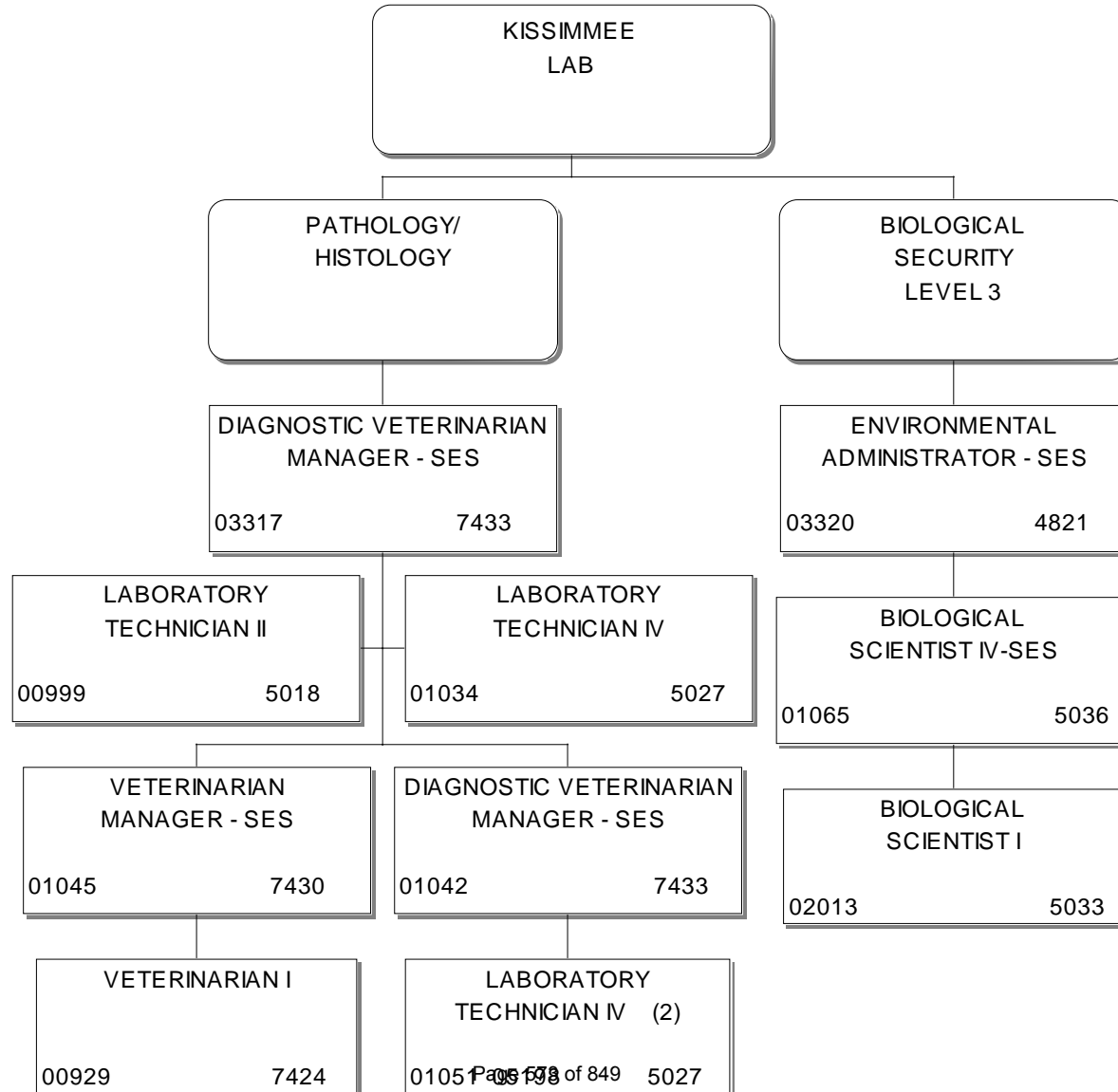
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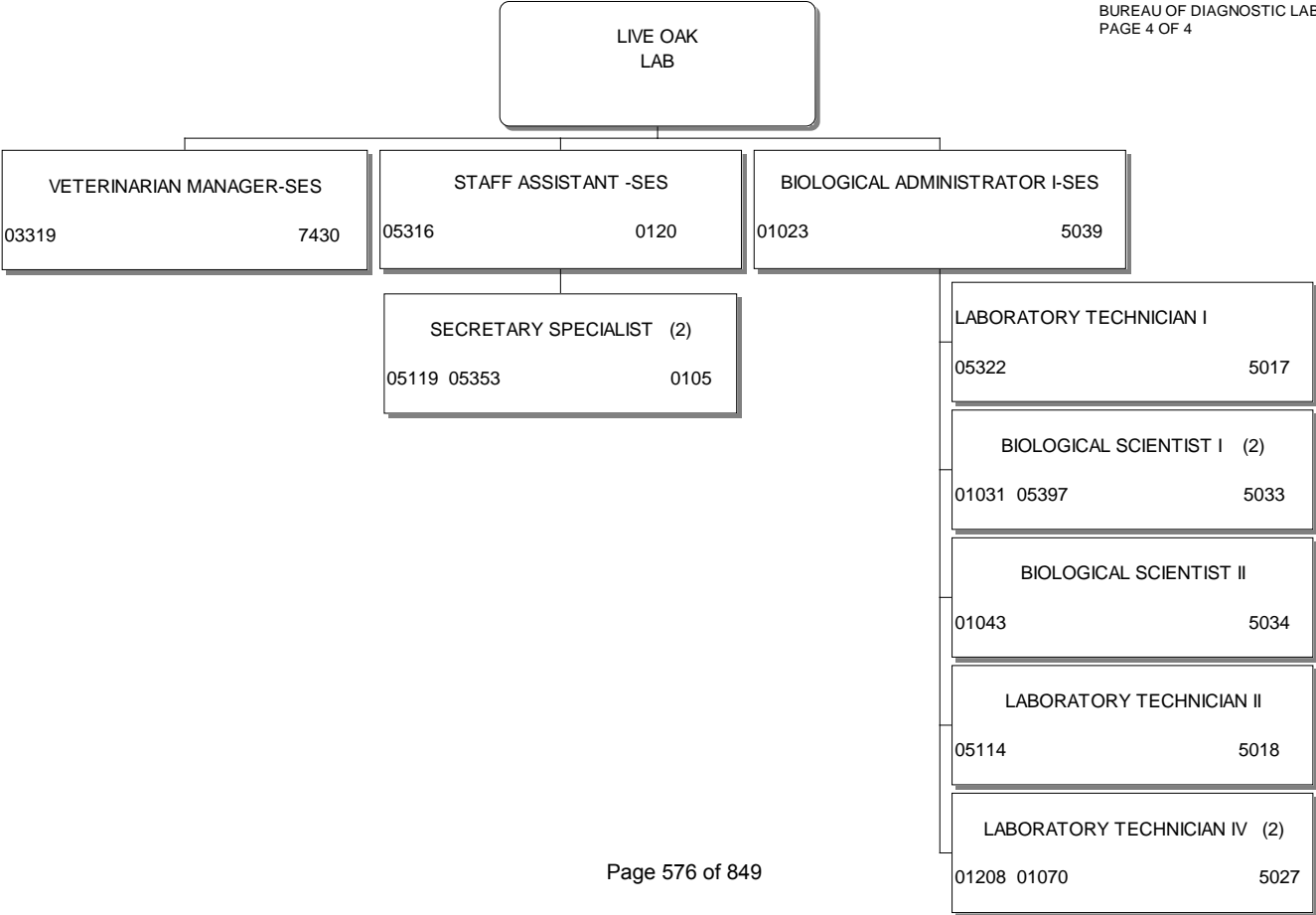
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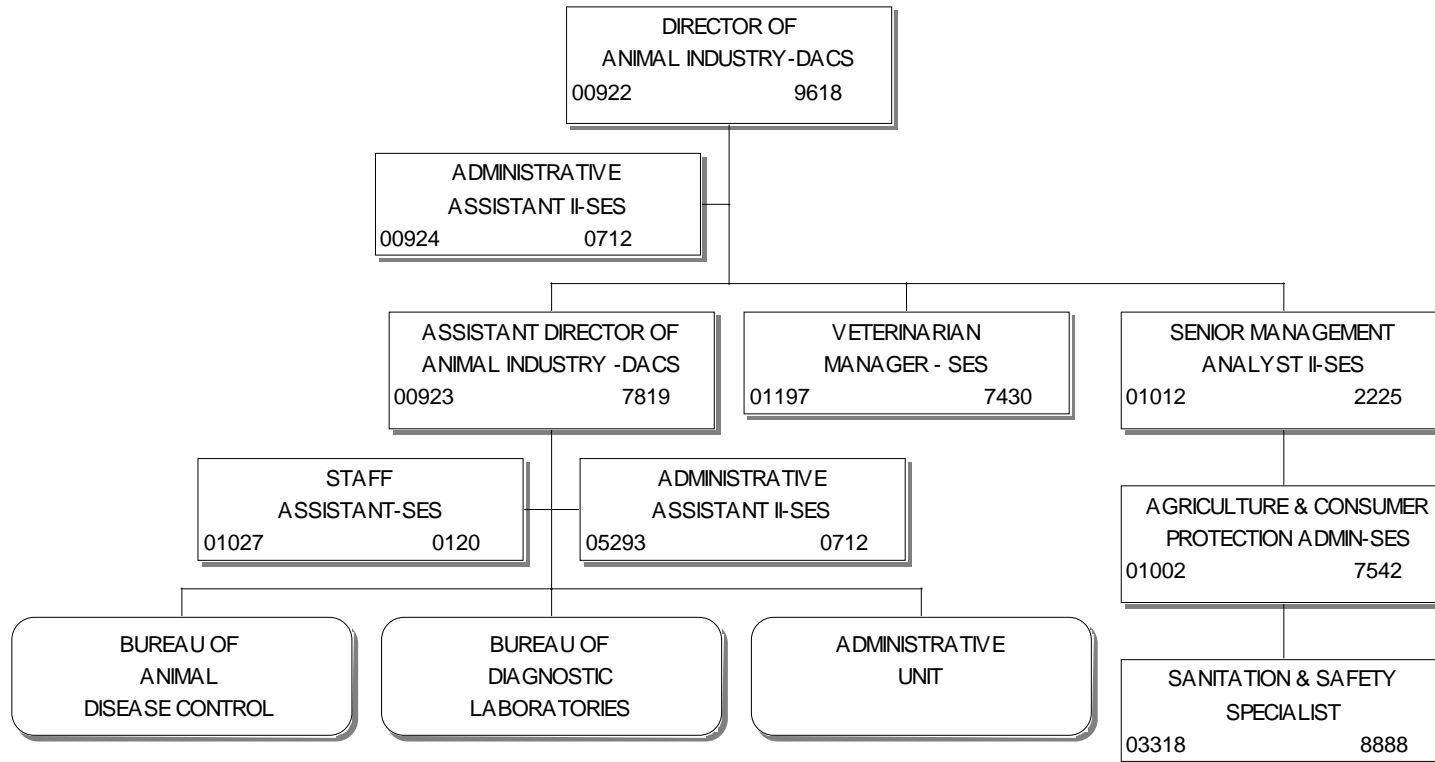
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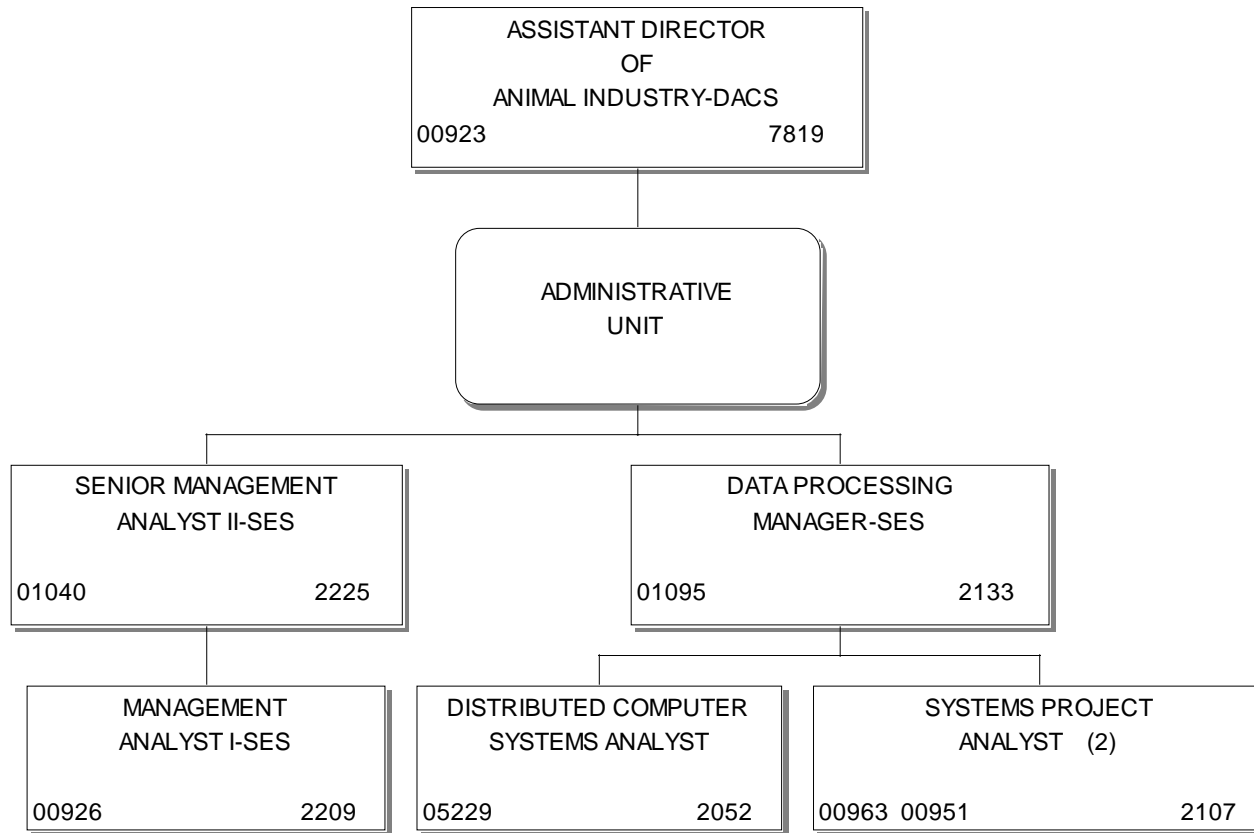
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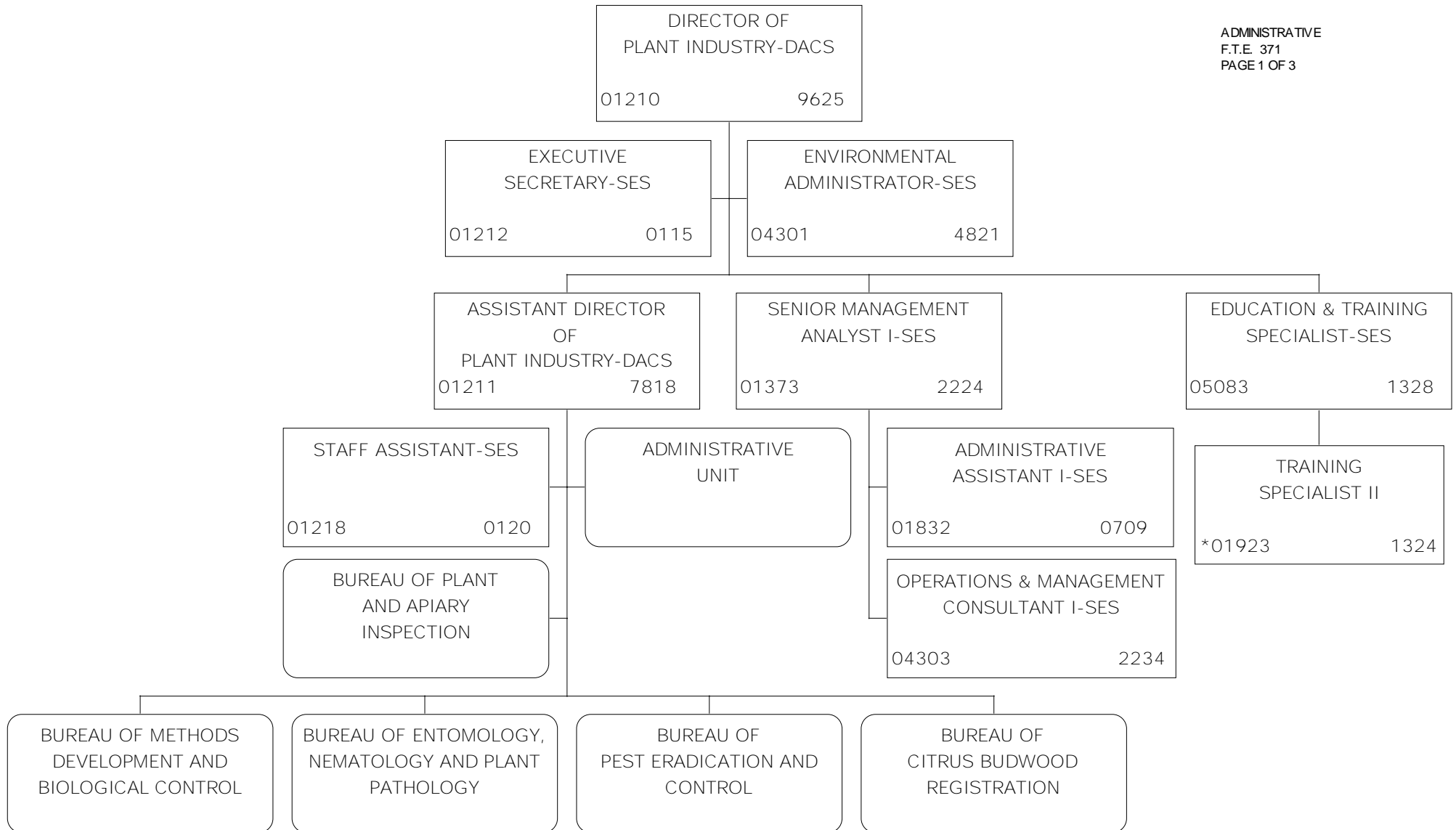
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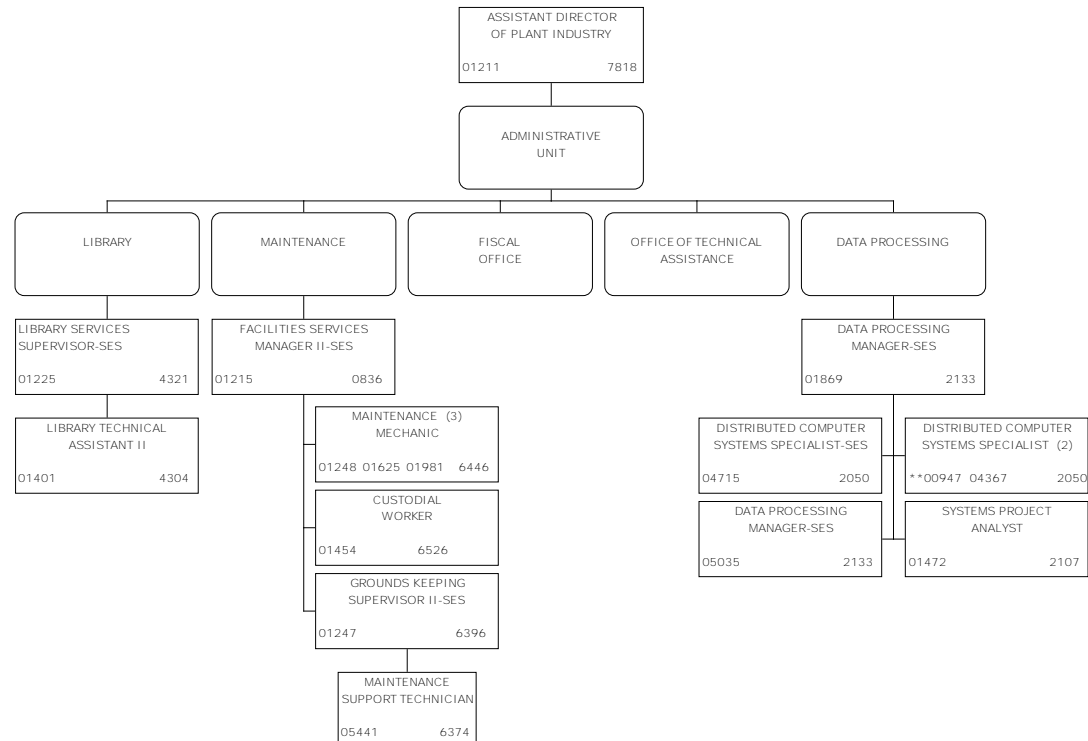
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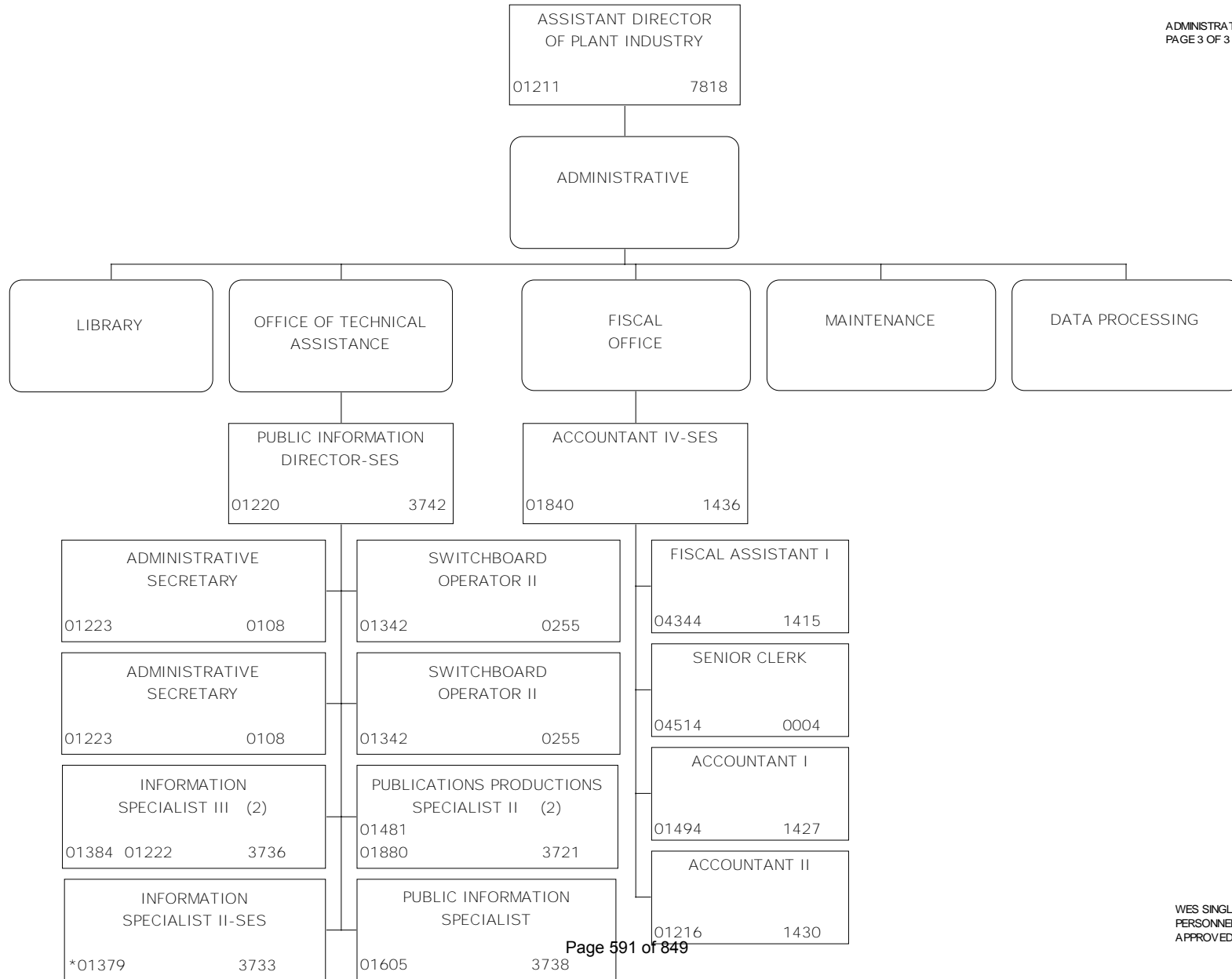
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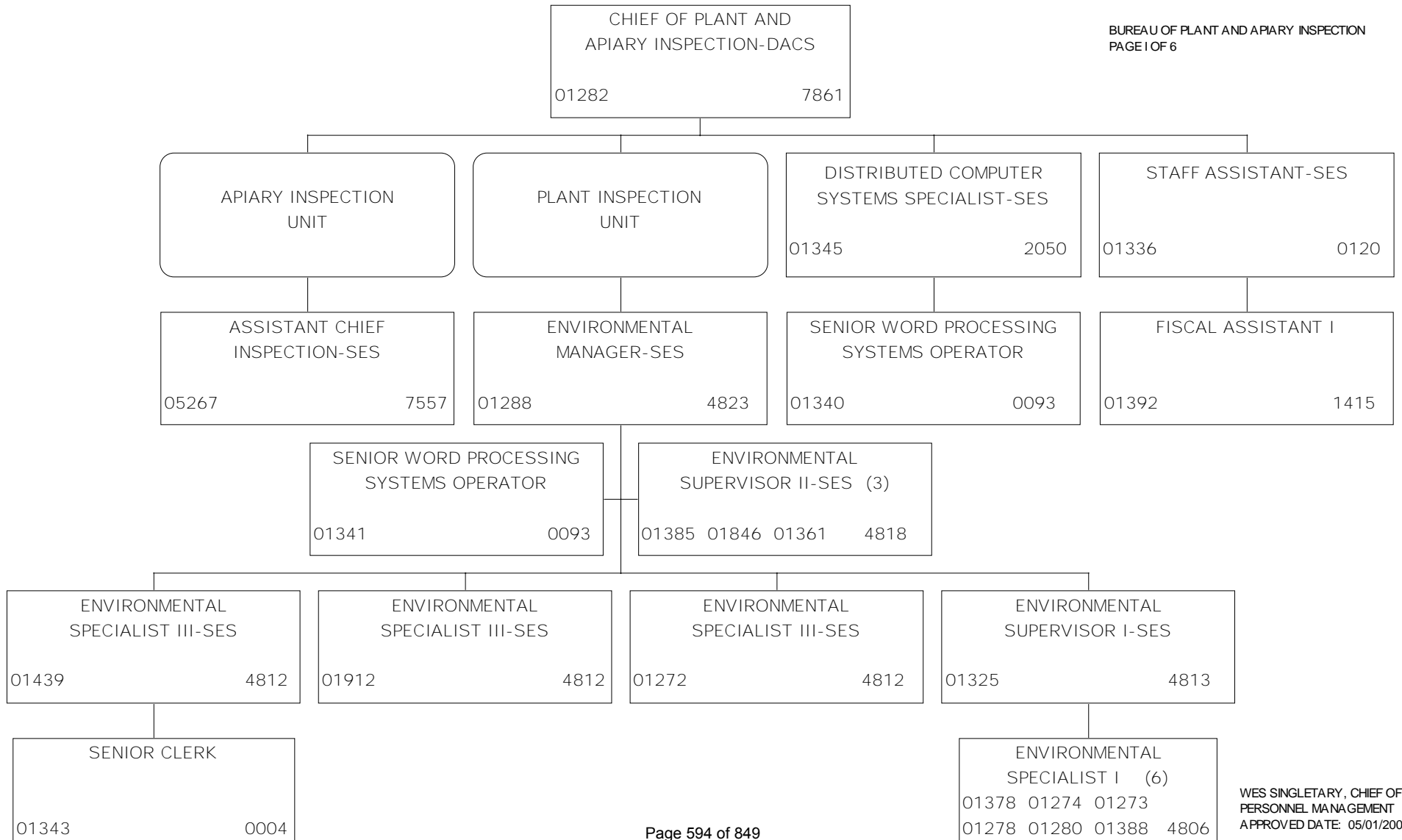


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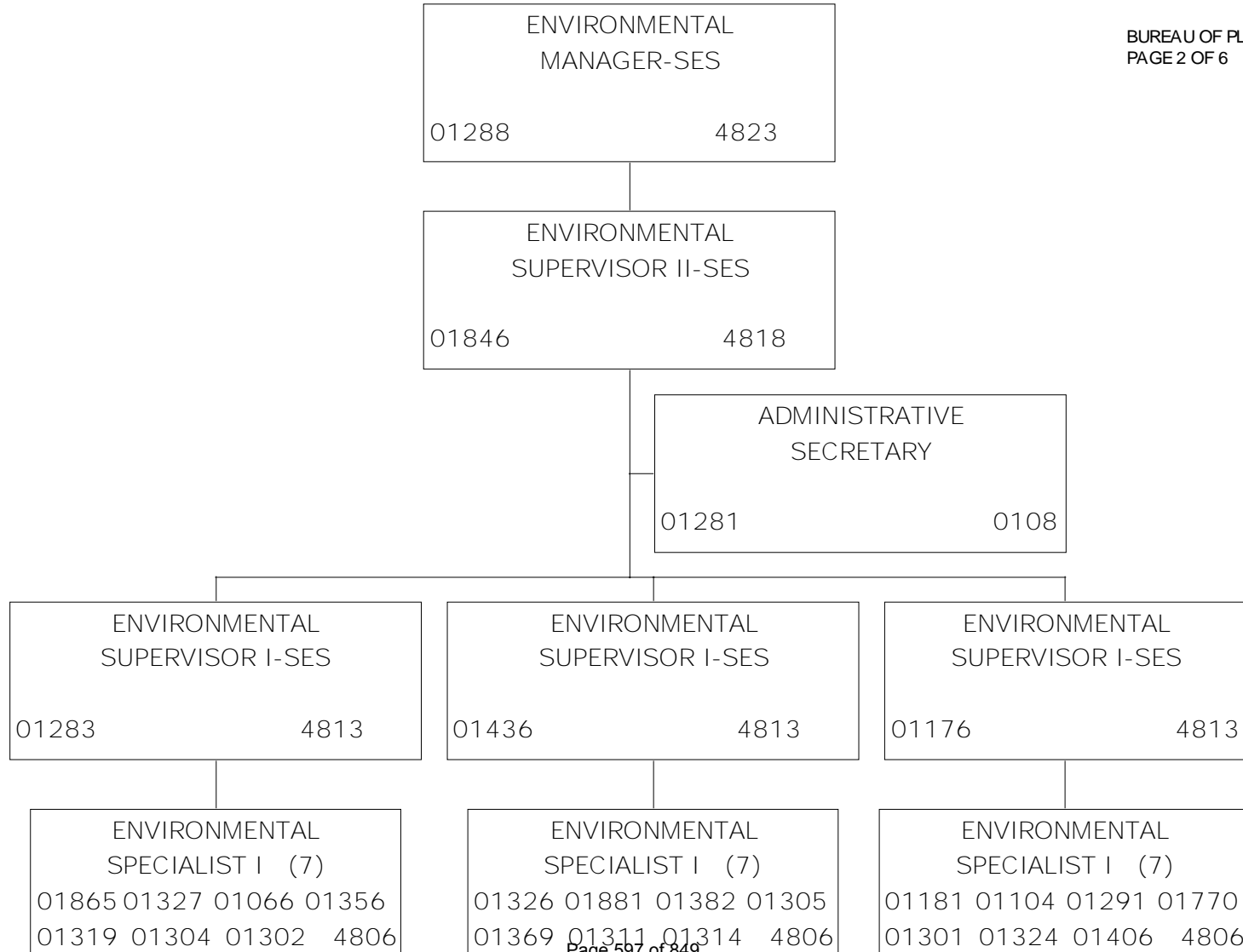
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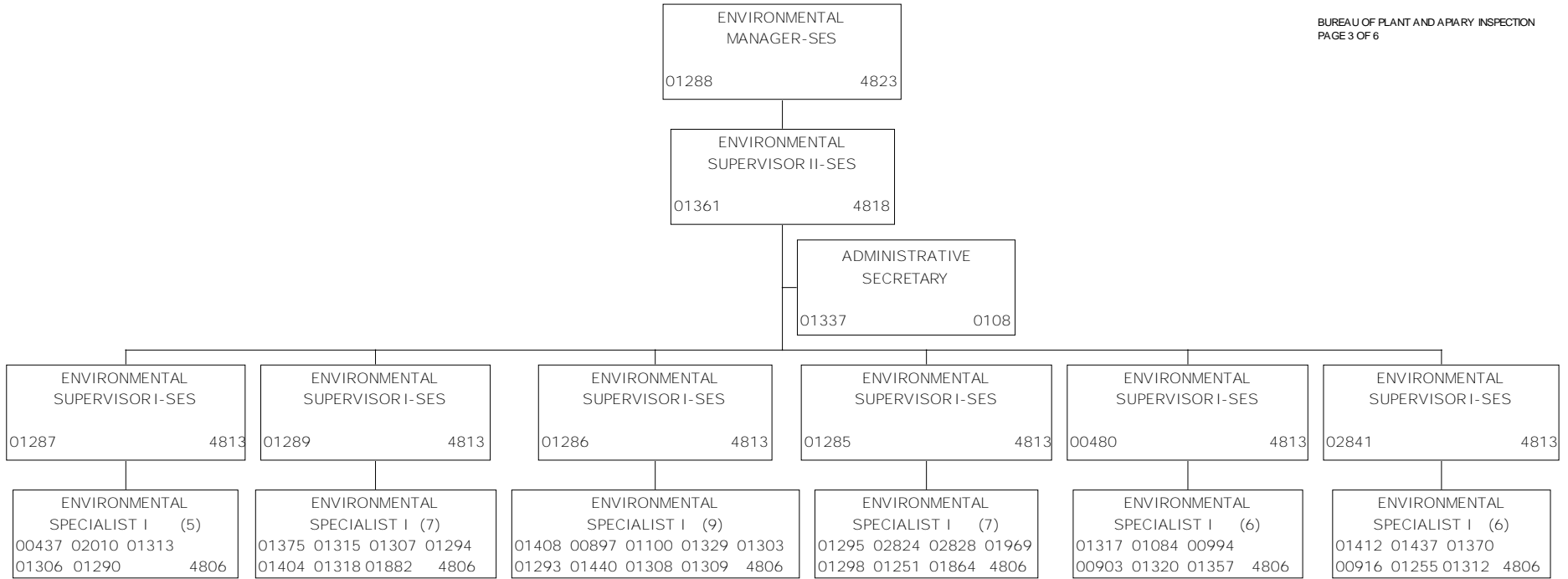
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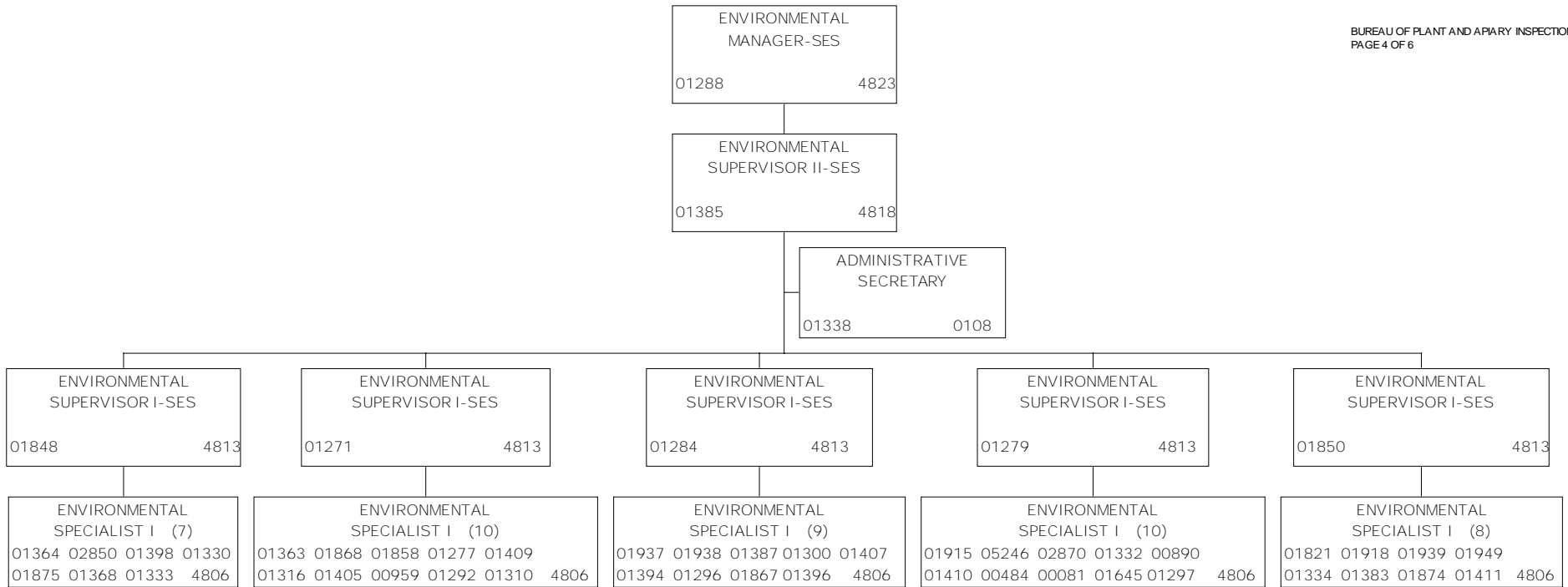
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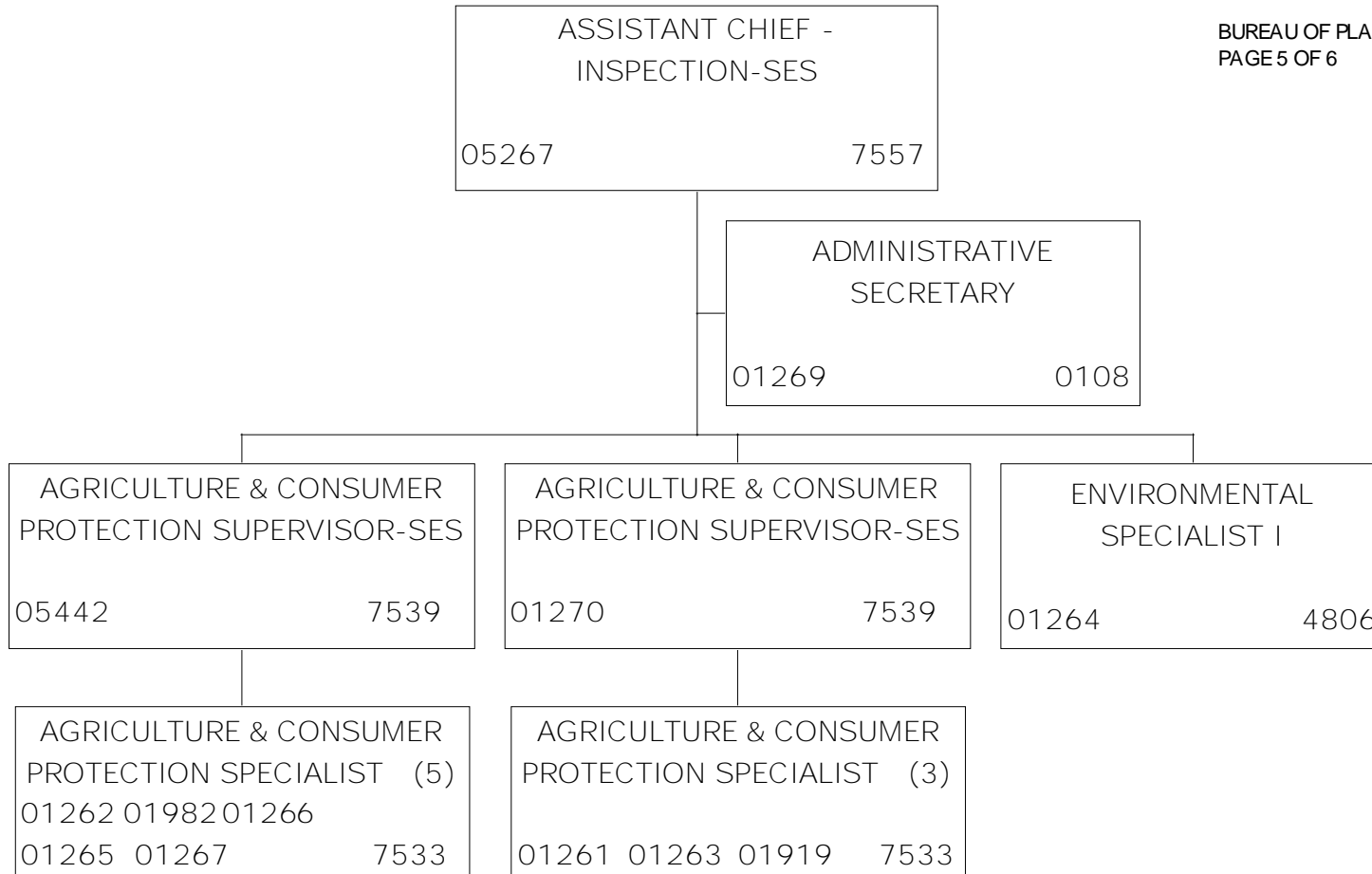
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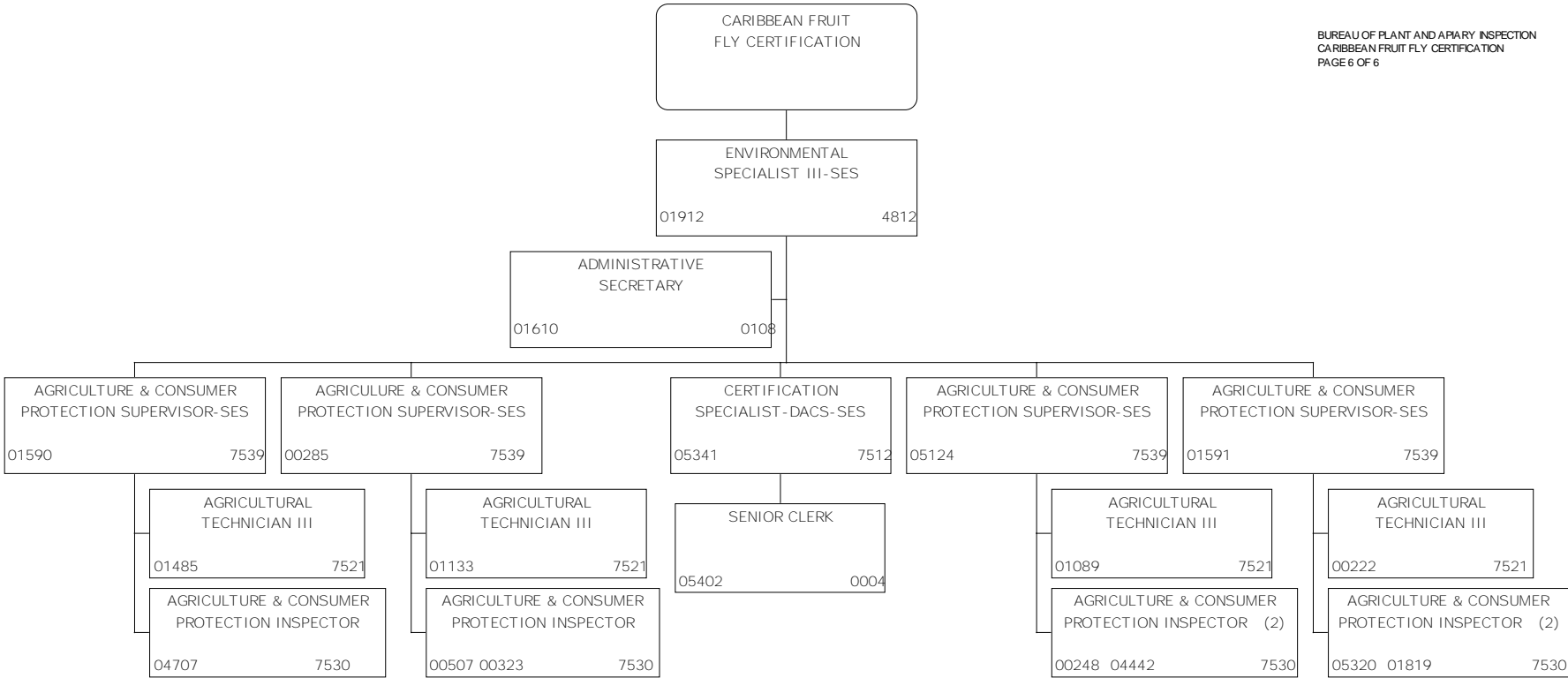
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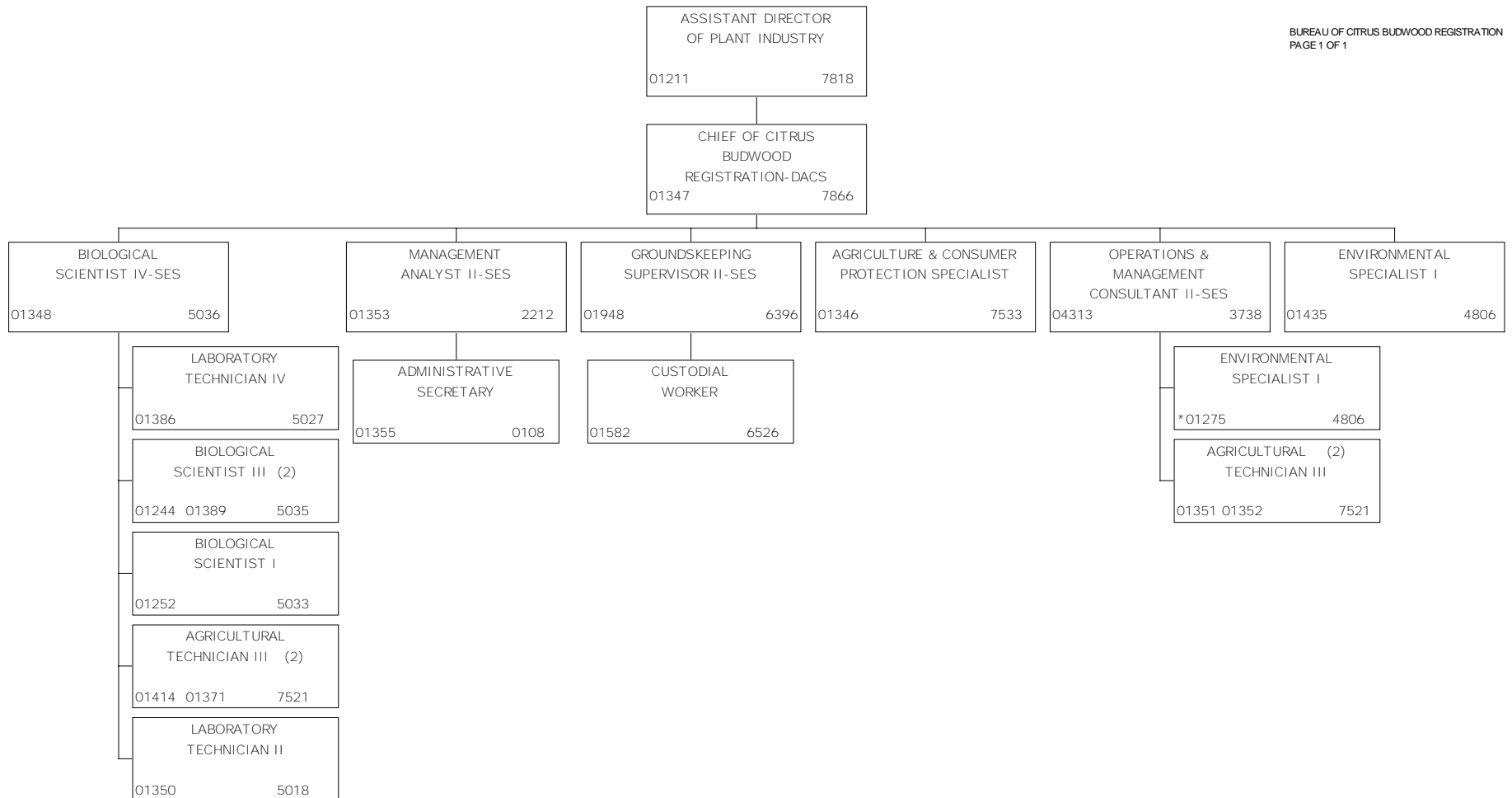
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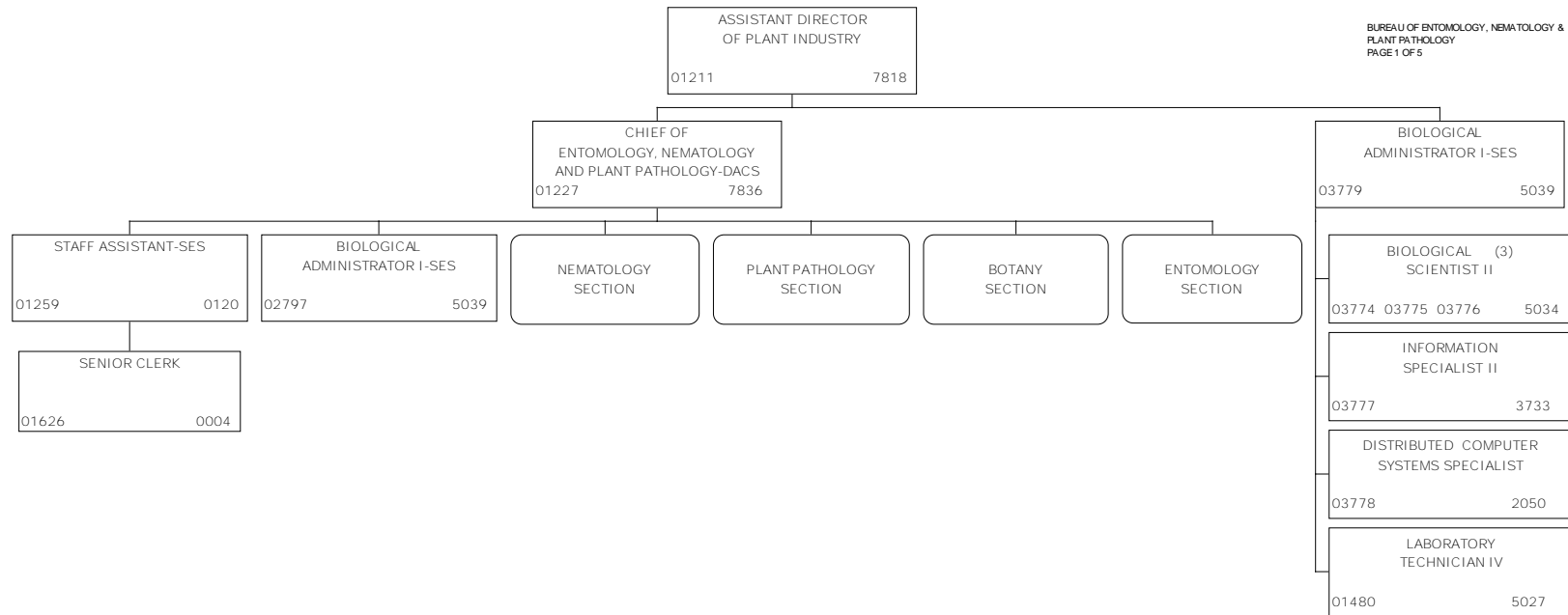
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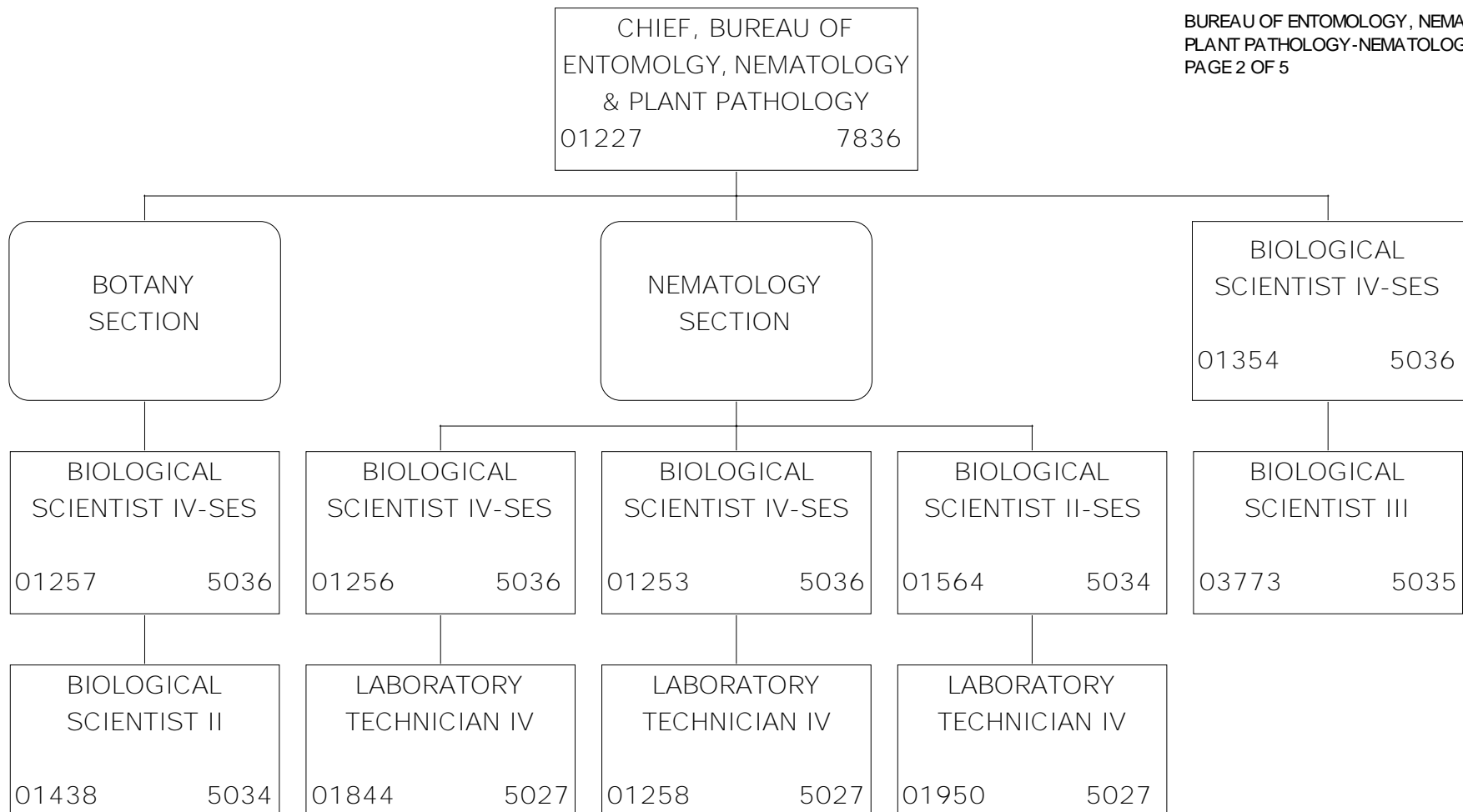


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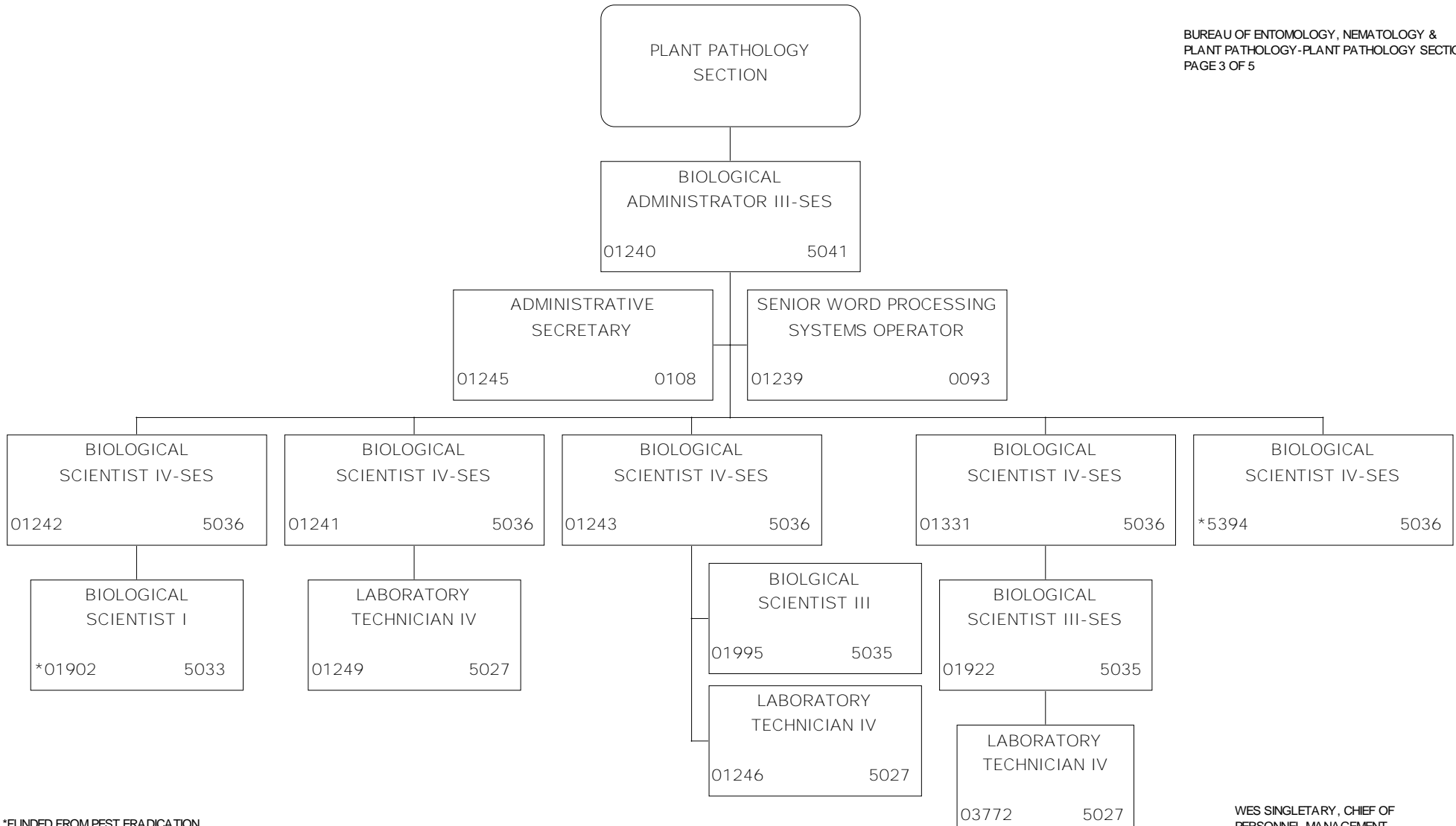
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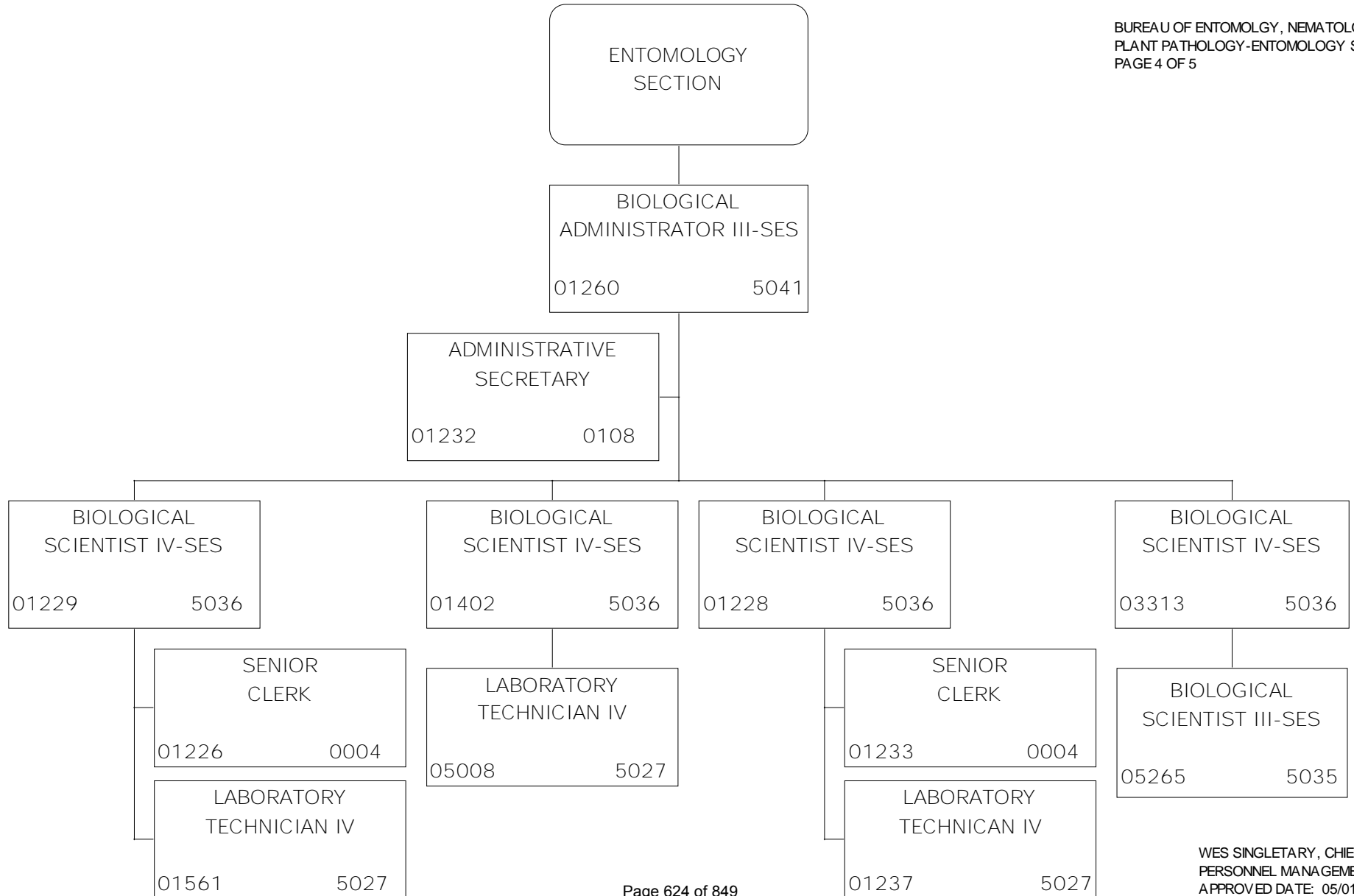
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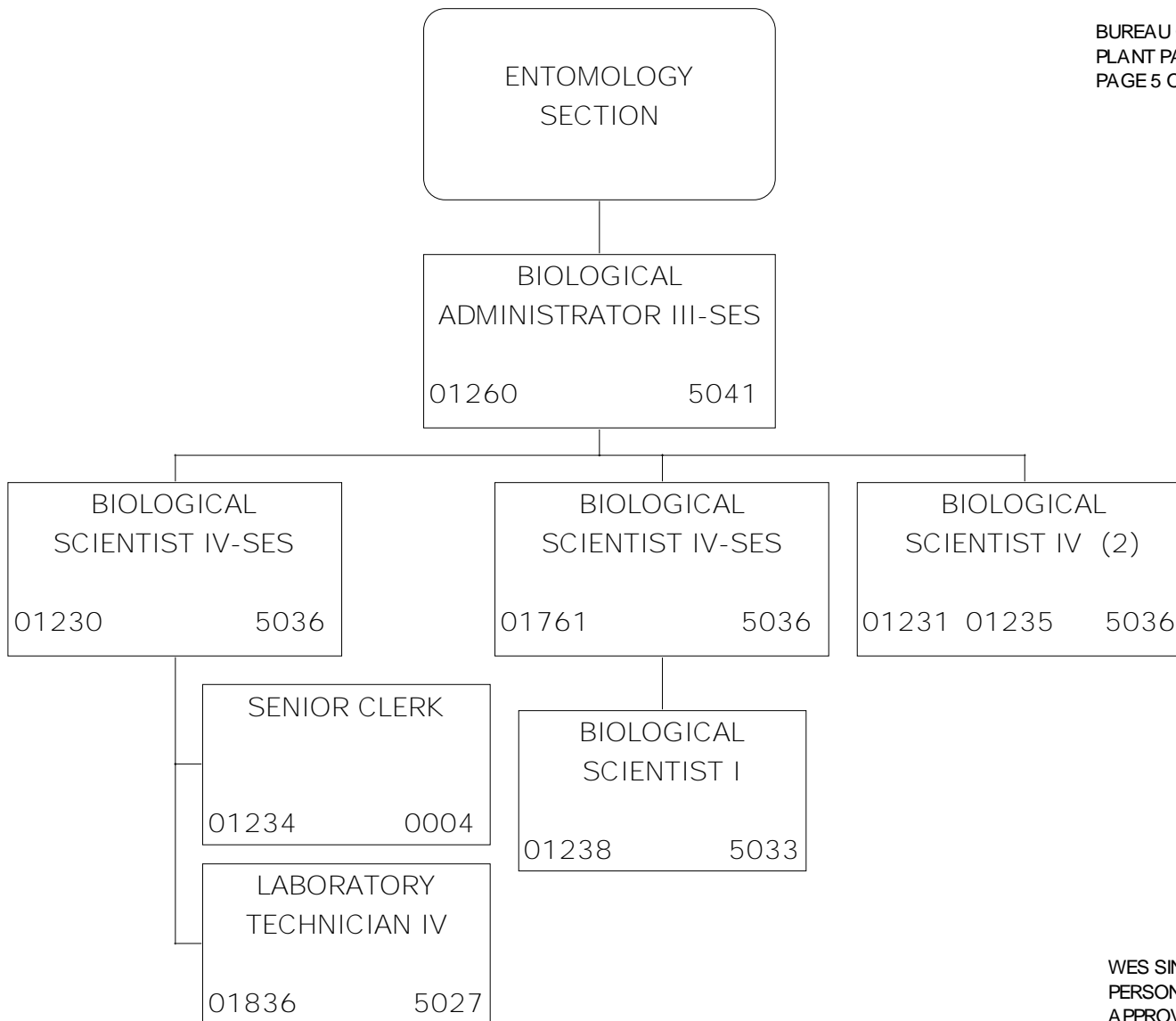
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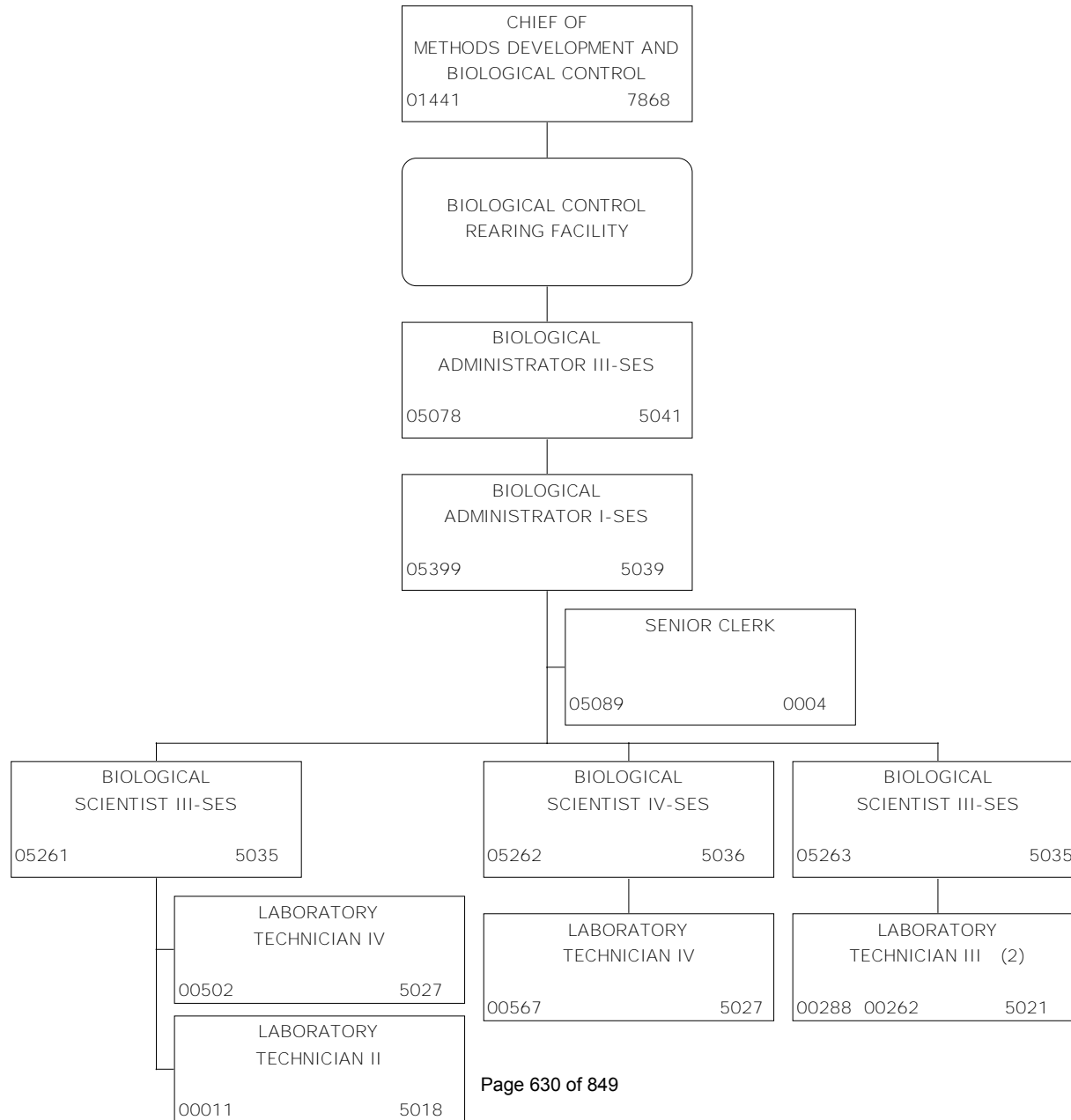
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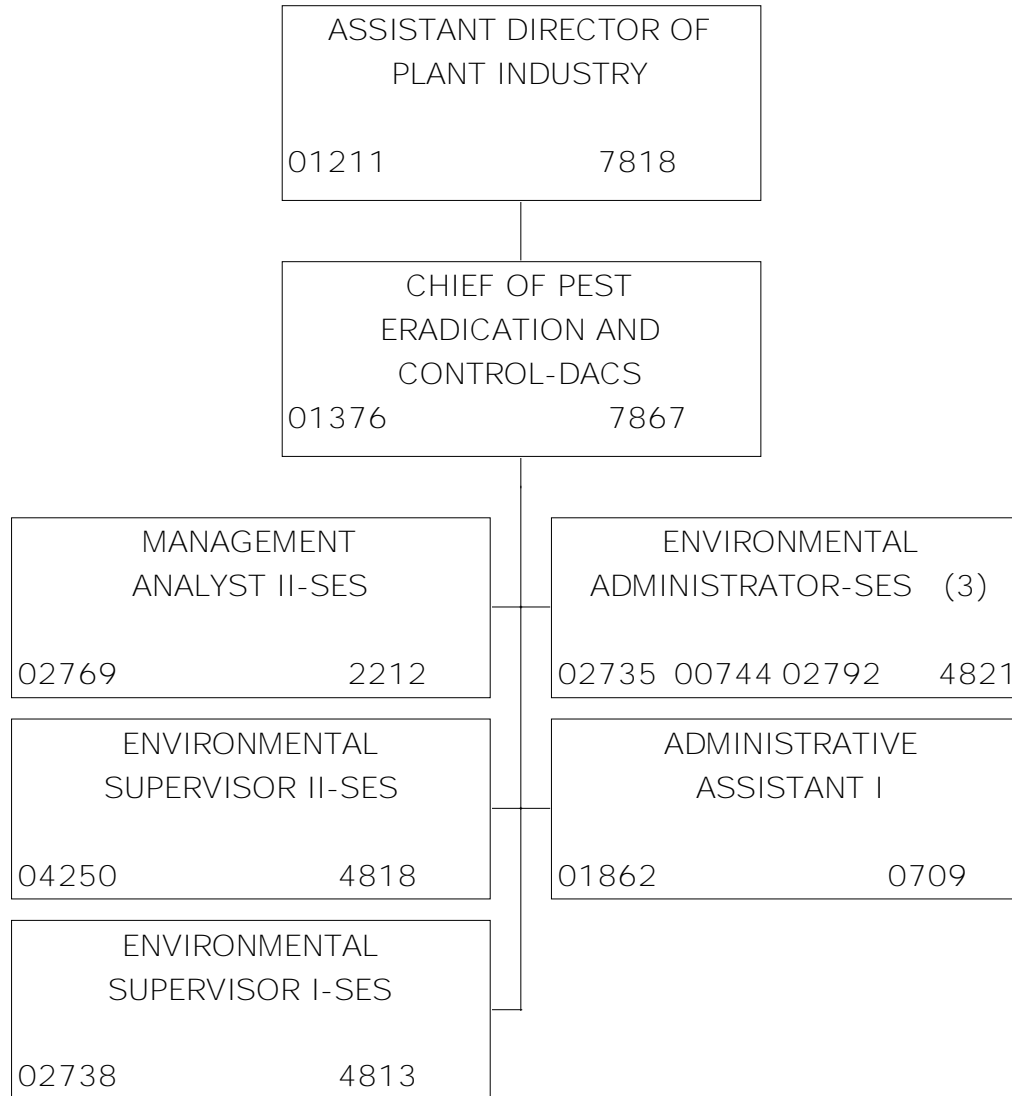
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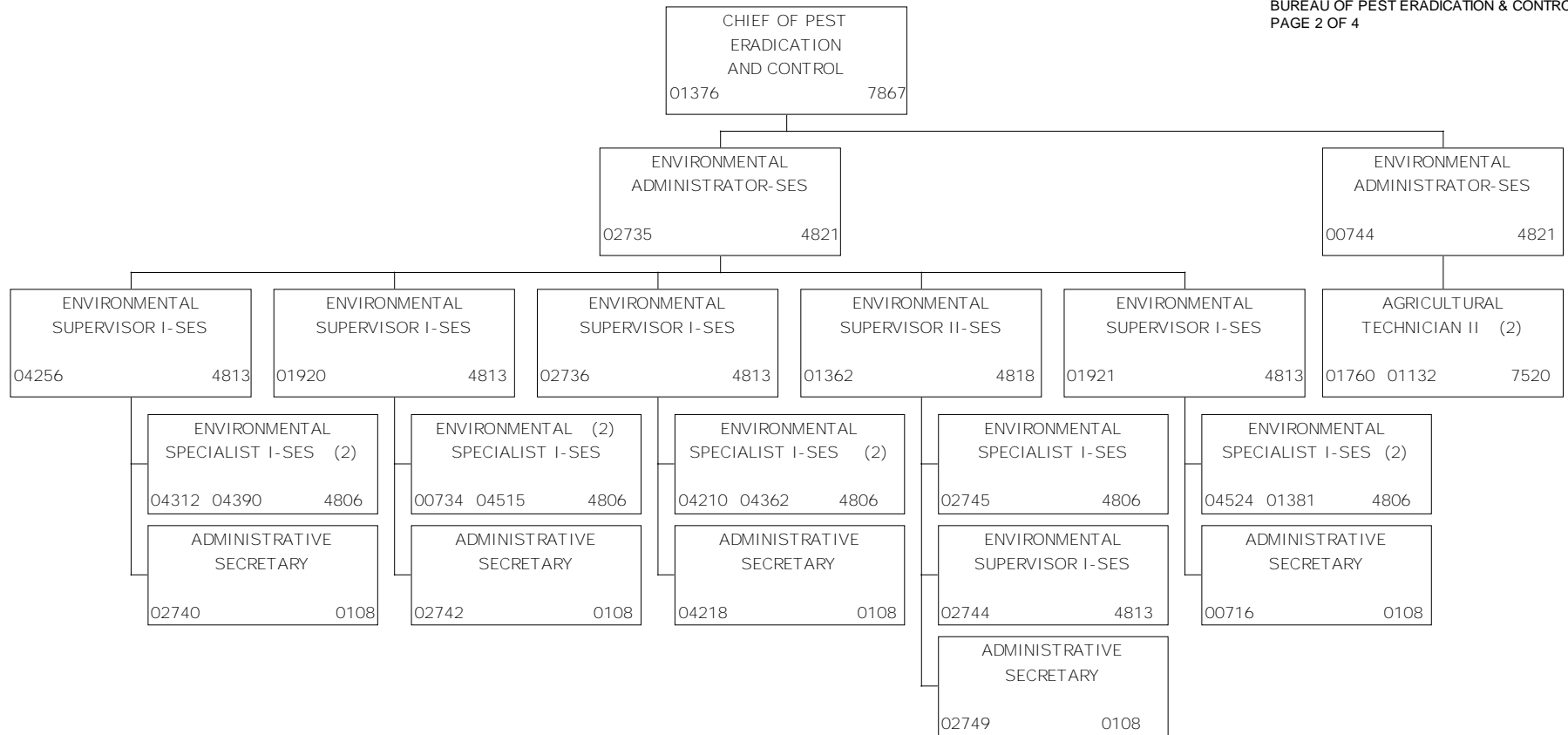
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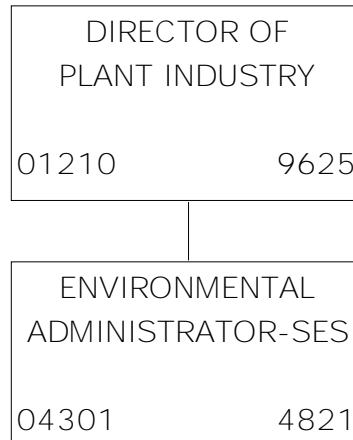
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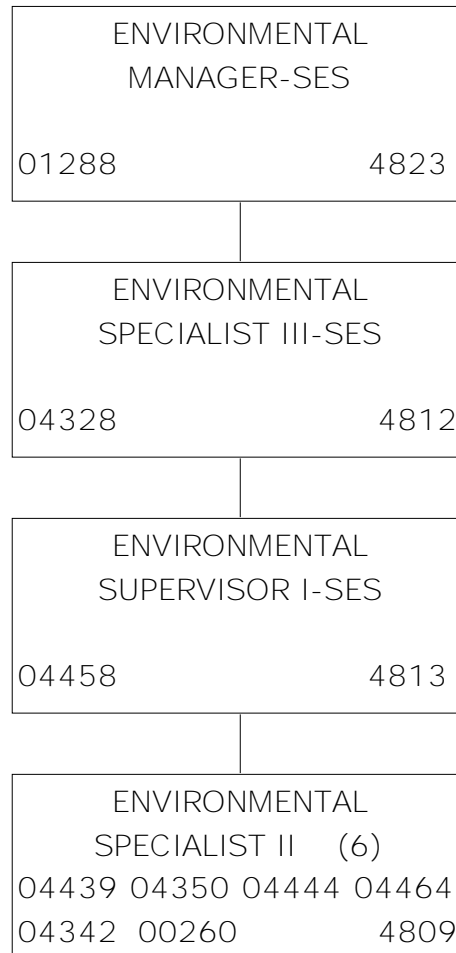
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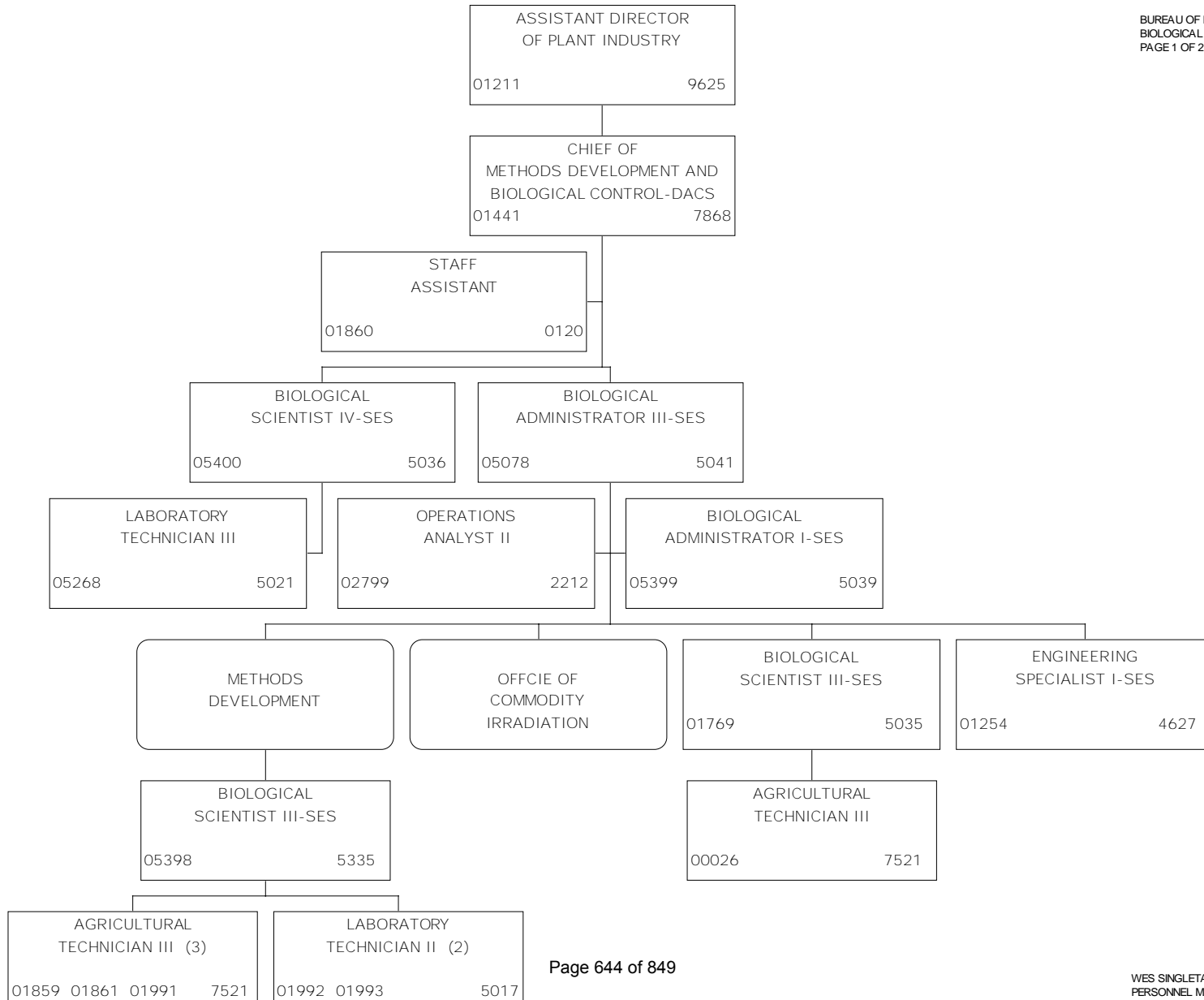
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TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT		335,521,980	11,515,350		
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget Amendments, etc.)		20,370,854	10,500,000		
FINAL BUDGET FOR AGENCY		355,892,834	22,015,350		
SECTION II: ACTIVITIES * MEASURES		Number of Units	(1) Unit Cost	(2) Expenditures (Allocated)	(3) FCO
<i>Executive Direction, Administrative Support and Information Technology (2)</i>					22,015,350
Register And Respond To Complaints Applicable To Motor Vehicle Repair Law * Number of motor vehicle repair shops licensed by the Division of Consumer Services		22,413	42.06	942,617	
Register And Respond To Complaints Applicable To Solicitation Of Contribution Law * Number of solicitors of contributions licensed by the division		14,607	64.88	947,649	
Process No Sales Solicitation Calls* Subscriptions * Number of "No Sales Solicitation Calls" subscriptions processed		95,157	8.50	808,727	
Register And Respond To Complaints Applicable To Sellers Of Travel Law * Number of sellers of travel licensed by the division		6,173	82.32	508,770	
Provide Lemon Law Assists To Consumers * Number of Lemon Laws assists made to consumers		13,453	33.24	446,715	
Register And Respond To Complaints Applicable To Health Studio Law * Number of health studios licensed by the division		1,079	116.54	219,010	
Register And Respond To Complaints Applicable To Pawn Shop Law * Number of pawn shops licensed by the division		1,169	187.35	219,010	
Register And Respond To Complaints Applicable To Telemarketing Law * Number of telemarketers licensed by the division		10,648	13.71	145,938	
Register And Respond To Complaints Applicable To Business Opportunity Law * Number of sellers of business opportunity licensed by the division		2,304	94.16	217,129	
Register And Respond To Complaints Applicable To Dance Studio Law * Number of dance studios licensed by the division		204	66.73	13,612	
Provide Assists To Consumers (call Center) * Number of assists provided to consumers by the call center		518,412	2.87	1,488,934	
Enforce Consumer Protection Laws * Number of complaints investigated/processed by the division		47,774	21.01	1,003,794	
Provide Consumer Education To Public * Number of assists provided to consumers for consumer education		2,526,055	0.14	343,836	
Mediate (non-regulated) Consumer Complaints * Number of assists provided to consumers for non-regulated consumer complaints		23,993	18.03	432,586	
Register And Respond To Complaints Applicable To Game Promotions * Number of game promoters licensed by the division		2,978	97.45	290,201	
Register And Respond To Complaints Applicable To Intrastate Moving Companies * Number of intrastate moving companies licensed by the division		893	24.97	290,201	
State Forest Resource Management * The number of acres of State Forests managed by the Department		1,043,860	20.75	21,664,541	
Provide Technical Assists To Non-Industrial Forest Landowners * Number of hours spent providing forest-related technical assists to non-industrial private landowners		36,437	53.98	1,966,981	
Visitor Service / Recreation * The number of State Forest visitors served		984,892	3.38	3,324,448	
Capital Improvements * Number of hours spent on capital improvement projects		337,371	43.89	14,806,570	
Provide Land Management Assistance To Other Agencies * Number of hours spent providing forest-related technical assists to public land management agencies		16,949	21.99	372,773	
Supervise Workcamp Inmates * Number of inmate hours worked on Division of Forestry Programs		247,828	4.15	1,028,952	
Protect Acres Of Forest Land From Wildfires * Number of acres of forest land protected from wildfires		21,632,281	3.09	66,760,956	
Licensing * Number of license applications processed		19	625,640.39	11,281,887	
Public Inquiry * Number of inquiries responded to		222,808	4.51	1,004,299	
Compliance Section * Number of Administrative Actions		329	5,630.62	1,852,473	
Regional Offices * Number of investigations performed		1,962	2,363.40	4,636,982	
Inspect Pesticide Applicators And Dealers * Number of pesticide inspections conducted		4,835	543.46	2,627,633	
License Pesticide Applicators And Dealers * Number of pesticide applicators and dealers licensed		11,837	65.95	780,651	
Evaluate And Manage Pesticide Products * Number of pesticide ingredients evaluated		180	4,715.38	848,769	
Register Pesticide Products * Number of pesticide products registered		15,287	46.55	711,596	
Analyze Pesticide Products * Number of pesticide ingredient sample determinations made in the pesticide laboratory		104,069	10.41	1,083,351	
Inspect Pest Control Businesses And Applicators * Number of pest control businesses and applicators inspected		2,847	1,029.00	2,929,577	
License Pest Control Businesses And Applicators * Number of pest control businesses and applicators licensed		59,080	8.61	508,676	
Regulate Mosquito Control Programs * Number of people served by mosquito control activities		17,467,431	0.15	2,677,924	
Regulate Fertilizer Companies * Number of fertilizer inspections conducted		4,156	335.44	1,394,109	
Analyze Fertilizer Products * Number of fertilizer sample determinations		146,821	7.78	1,142,126	
Analyze Seed Companies * Number of official seed sample determinations performed		62,087	6.40	397,380	
Regulate Seed Companies * Number of seed inspections conducted		2,969	145.06	430,693	
License Feed Companies * Number of feed companies licensed		986	541.83	459,224	
Analyze Feed Products * Number of official feed samples collected by feed manufacturers and analyzed by certified labs for regulatory purposes		1,767	327.14	224,648	
Conduct Food Establishment Inspections * Number of inspections of food establishments and water vending machines		83,231	151.85	12,622,029	
Perform Analyses Of Food Samples * Number of food analyses conducted		47,478	69.15	3,282,908	
Perform Analyses For Chemical Residues And Pesticide Data * Number of chemical residue analyses conducted		429,322	7.73	3,318,676	
Perform Grade Evaluations On Poultry And Eggs * Tons of poultry and shell eggs graded		430,000	3.89	1,672,821	
Inspect Shellfish Processing Plants * Number of shellfish processing plants inspected		105	4,138.73	434,567	
Test Water Quality * Number of acres tested		1,451,990	1.10	1,592,533	
Administer Aquaculture Certification Program * Number of certifications issued to first-time applicants or renewed		764	85.49	653,598	
Administer Shellfish Lease Program * Number of leases verified for compliance		540	125.72	67,891	
Conduct Oyster Planting Activities * Number of bushels of processed shell and live oysters deposited to restore habitat on public oyster reefs		433,678	4.05	1,754,336	
Conduct Law Enforcement Investigations * Number of law enforcement investigations initiated		3,344	972.72	3,252,767	
Agriculture State Law Enforcement - Commonly Interdicted * Number of vehicles inspected at agricultural interdicted stations		9,466,834	1.68	15,876,200	
Capture Bills Of Lading * Number of Bills of Lading transmitted to the Department of Revenue from Agricultural Interdicted Stations		48,336	54.40	2,629,521	
Develop And Implement Best Management Practices (bmp's) 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		40,898	132.49	5,418,448	
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		45,658	159.12	7,265,180	
Develop Water Policy * Number of water policy assists provided to agricultural interests		559	466.87	260,983	
Assist Mobile Irrigation Laboratory Conservation Programs * Number of gallons of water potentially conserved annually by agricultural operations pursuant to site-specific recommendations provided by participating Mobile Irrigation Labs		3,140,000,000	0.00	173,158	
Assist Soil And Water Conservation Districts * Number of soil and water conservation districts assisted		63	3,435.68	216,448	
Conduct Petroleum Field Inspections * Number of petroleum field inspections conducted		223,885	17.88	4,004,064	
Analyze Petroleum Products * Number of Petroleum samples analyzed		143,670	12.01	1,724,990	
Conduct Weights And Measures Inspections * Number of weights and measures inspections conducted		72,000	38.11	2,743,884	
Conduct Metrological Laboratory Tests * Number of physical measurement standards tests or calibrations performed		8,934	24.32	217,240	
Issue Liquefied Petroleum Gas Licenses * Number of LP gas licenses issued		12,970	57.82	749,952	
Conduct Liquefied Petroleum Gas Inspections * Number of LP gas facility inspections/inspections conducted		10,733	81.03	869,606	
Administer Liquefied Petroleum Gas Examinations * Number of LP gas examinations administered		935	145.95	136,463	
Conduct Liquefied Petroleum Gas Accident Investigations * Number of LP gas related accidents investigated		51	1,724.06	87,927	
Conduct Amusement Ride Safety Inspections * Number of amusement ride safety inspections conducted		9,820	158.03	1,551,846	
Inspect Dairy Establishments And Collect Samples * Number of dairy establishment inspections		1,643	698.28	1,147,272	
Perform Sample Analyses * Number of analyses conducted on Florida Milk Regulatory Program samples		47,114	9.90	466,421	
Inspect Dairy Tankers And Evaluate Bulk Milk Sample Collectors * Number of dairy tankers inspected and bulk milk sample collectors evaluated		1,517	39.80	60,381	
Conduct Florida Agriculture Promotion Campaign (apc) And Related Promotional Activities * Number of buyers reached with agricultural promotion campaign messages		13,785,003,805	0.00	6,275,073	
Provide Education & Communications * Number of media items produced for promotional and educational purposes		12,642	89.71	1,134,071	
Conduct State Farmers Market Program * Number of leased square feet at state farmers' markets		1,575,080	2.22	3,494,942	
Conduct Agriculture/Seafood/ Aquaculture Assists * Number of marketing assists provided to producers and businesses		614,508	7.34	4,512,444	
Issue, Inspect And Review Licenses And Bond Program * Number of agricultural dealer licenses issued		5,665	229.83	1,301,994	
Conduct Citrus Crop/Maturity Estimates For The Citrus Industry * Number of agricultural production observations conducted		1,351,706	1.78	2,400,849	
Conduct Market News Program * Number of market pricing information assists provided to agriculture producers and businesses		5,698	41.96	239,100	
Conduct Citrus Packing House And Processing Inspections * Number of tons of citrus inspected		5,428,668	0.86	4,675,709	
Conduct Shipping And Receiving Point Vegetable Inspections And Regulate Imports In Applicable Areas Upon Request * Number of tons of vegetables inspected		898,791	3.29	2,953,480	
Conduct Terminal Market Inspections Upon Request Of Shippers/Receivers * Number of tons of fruits and vegetables inspected		9,325,458	0.07	662,679	
Inspect Plants For Plant Pests, Disease Or Grade * Number of plant inspections performed		787,482	25.89	20,387,885	
Identify Plant Pests * Number of plant, soil, insect and other organism samples processed for identification or diagnosis		386,774	15.06	4,618,504	
Certify Citrus Fire-free * Number of acres treated for canyulity		6,195,442	0.19	1,180,890	
Develop Control Methods And Rear Biocontrol Agents * Number of bio-control agents reared		73,500,051	0.04	2,589,499	
Release Sterile Fruit Flies * Billions of sterile medflies released		4,279,851,125	0.00	973,007	
Inspect Citrus Trees For Crop Forecast And Pest Detection * Number of commercial acres surveyed for citrus pests or diseases		139,611	2.96	412,982	
Inspect Apiaries * Number of honeybee inspections performed		71,532	19.87	1,421,457	
Register Citrus Budwood * Number of citrus budwood trees registered		33,118	26.84	888,795	
Certify Nurseries As Imported Fire Ant Free * Number of inspections conducted for imported fire ants		3,434	64.87	222,778	
Prevent, Control And Eradicate Animal Diseases * Number of animals tested or vaccinated		504,047	7.85	3,958,226	
Conduct Animal-related Diagnostic Laboratory Procedures * Number of animal-related diagnostic laboratory procedures performed		324,062	12.94	4,194,481	
Inspect Livestock On Farms/Ranches For Sanitary/Humane Conditions * Number of animal site inspections performed		17,677	125.68	2,221,728	
Identify The Origin And Health Status Of Imported Animals * Number of animals covered by health certificates		23,139,992	0.03	734,204	
TOTAL				298,932,567	22,015,350
SECTION III: RECONCILIATION TO BUDGET					
PASS THROUGHS					
TRANSFER - STATE AGENCIES					
AID TO LOCAL GOVERNMENTS					
PAYMENT OF PENSIONS, BENEFITS AND CLAIMS					
OTHER					
REVERSIONS					
TOTAL BUDGET FOR AGENCY (Total Activities + Pass Throughs + Reversions) - Should equal Section I above. (4)					
355,892,927 22,015,350					

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 required to develop meaningful unit costs.  
 (4) Final Budget for Agency and Total Budget for Agency may not equal due to rounding.

**Schedule XIV**  
**Variance from Long Range Financial Outlook**

**Agency:** Department of Agriculture and Consumer Services

**Contact:** Phyllis Vaughn, Director

Article III, Section 19(a)3, Florida Constitution, requires each agency Legislative Budget Request to be based upon and reflect the long range financial outlook adopted by the Joint Legislative Budget Commission or to explain any variance from the outlook.

- 1) Does the long range financial outlook adopted by the Joint Legislative Budget Commission in September 2009 contain revenue or expenditure estimates related to your agency?

Yes  No

- 2) If yes, please list the estimates for revenues and budget drivers that reflect an estimate for your agency for Fiscal Year 2010-2011 and list the amount projected in the long range financial outlook and the amounts projected in your Schedule I or budget request.

	Issue (Revenue or Budget Driver)	R/B*	FY 2010-2011 Estimate/Request Amount	
			Long Range Financial Outlook	Legislative Budget Request
a	Agricultural Best Management Practices		2,400,000	500,000
b	Agricultural Promotion and Education Facilities		3,300,000	0
c	Agricultural Interdiction Station Ramp Renovation		3,500,000	2,400,000
d	Building Repairs and Maintenance		4,200,000	1,018,474
e	Forestry Wildfire Suppression Equipment		6,000,000	6,000,000
f	Replacement of Motor Vehicles		600,000	1,114,627
g	Florida Agricultural Promotion Campaign		1,300,000	0
h	Farm Share / Food Banks		400,000	2,200,000
i	Aquaculture Program-Aquaculture Review Council (ARC) Projects		500,000	311,802

- 3) If your agency's Legislative Budget Request does not conform to the long range financial outlook with respect to the revenue estimates (from your Schedule I) or budget drivers, please explain the variance(s) below.

\* R/B = Revenue or Budget Driver

*Office of Policy and Budget - July 2009*



# Division of Licensing Exhibits or Schedules

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

**Department:** Agriculture and Consumer Services      **Budget Period: 2010-11**  
**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 Officers, 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 2008 - 09</b>	<b>FY 2009 - 10</b>	<b>FY 2010 - 11</b>
<u>Receipts:</u>			
<u>Agency New</u>	302,585	306,600	312,450
<u>Agency Renewal</u>	469,271	270,675	538,800
<u>"D" Renewal</u>	1,617,347	1,102,950	1,284,030
<u>"D" New</u>	1,768,794	1,890,450	1,996,025
<u>"G" Renewal</u>	691,406	488,724	593,244
<u>"G" New</u>	776,429	868,924	918,080
<u>Manager New</u>	26,861	30,450	32,325
<u>Manager Renewal</u>	61,583	45,225	45,825
<u>Recovery Agent New E/EE</u>	41,913	48,255	52,500
<u>Recovery Agent Renewal E/EE</u>	28,663	22,215	23,460
<u>P.I. New C/CC</u>	114,324	82,755	84,555
<u>P.I. Renewal C/CC</u>	287,033	217,695	202,905
<u>Application Fees 493</u>	203,533	207,250	224,300
<u>Class C Exam</u>	59,800	59,800	59,800
<u>Penalties Late Fees</u>	212,288	212,288	212,288
<u>PY Warrant/SVC Fees/Reimbursement</u>	974	268	268
<u>PIA Misc</u>	126,044	126,044	126,044
<u>Other Misc Fees - Copies</u>	6,576	6,576	6,576
<u>Fingerprint Fees</u>	2,013,301	2,009,486	2,116,762
<u>Fines</u>	94,139	94,139	94,139
<u>Interest</u>			
<u>Net Deferred Revenues</u>		620,967	(38,760)
<b>Total Fee Collection to Line (A) - Section III</b>	<b>8,902,863</b>	<b>8,711,736</b>	<b>8,885,616</b>

**SECTION II - FULL COSTS**

	<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>	<b>FY 2010 - 11</b>
<b>Direct Costs:</b>			
Salaries and Benefits	3,825,317	3,904,659	3,973,901
Other Personal Services	422,890	151,961	140,271
Expenses	1,335,556	1,760,509	1,638,440
Operating Capital Outlay	496,262	111,421	129,311
Motor Vehicle	-		108,000
<u>Contracted Services/Other</u>	<u>2,093,655</u>	<u>2,057,669</u>	<u>2,168,153</u>
<u>Allocated Costs Charged to Trust Fund</u>	<u>723,304</u>	<u>723,304</u>	<u>723,304</u>
<b>Total Full Costs to Line (B) - Section III</b>	<b>8,896,983</b>	<b>8,709,523</b>	<b>8,881,380</b>

Basis Used: FY 08-09 Cost Statements used. Administrative Overhead based on % of total salaries.

**SECTION III - SUMMARY**

		<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
		<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>	<b>FY 2010 - 11</b>
TOTAL SECTION I	(A)	8,902,863	8,711,736	8,885,616
TOTAL SECTION II	(B)	8,896,983	8,709,523	8,881,380
<b>TOTAL - Surplus/Deficit</b>	<b>(C)</b>	<b>5,880</b>	<b>2,213</b>	<b>4,236</b>

**EXPLANATION of LINE C:**

Based on revenue projections. A deficit is not projected for FY 09-10 and FY 10-11.

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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 a streamlined license renewal process for security officers. In addition to staff time savings, this process will provide a faster turnaround time for licensees submitting a renewal as a security officer.

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

The Division is in the process of implementing a new IVR (interactive voice recognition) enhancement to the existing telephone system, as well as a new web-based software application, both of which will allow the applicant to check the status of his/her license application without the need to talk to a person or send email, which requires personal assistance.

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

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

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Licensing

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 Exhibits or Schedules



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

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

**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 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**

Receipts:	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Frozen Dessert Licenses		18,200		15,700		15,700
Milkfat Tester's Permits		3,500		1,500		3,500
Epidemiology Fees				2,800		100
Copy Fees				15		15
Refunds		15				
<b>Total Fee Collection to Line (A) - Section III</b>	<b>-</b>	<b>21,715</b>	<b>-</b>	<b>20,015</b>	<b>-</b>	<b>19,315</b>

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits	1,402,852		1,433,270		1,433,270	
Expenses	220,326	8,707	220,928	8,707	220,928	8,707
Contracted Services	27,645		24,960		24,960	
Operating Capital Outlay	49,352		10,500		10,500	
Data Processing	42,887	13,023	56,000	9,867	56,000	9,167
General Revenue S/C		542		1,441		1,441
Indirect Costs Charged to Trust Fund						
<b>Total Full Costs to Line (B) - Section III</b>	<b>1,743,062</b>	<b>22,272</b>	<b>1,745,658</b>	<b>20,015</b>	<b>1,745,658</b>	<b>19,315</b>

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	21,715	-	20,015	-	19,315
TOTAL SECTION II	(B)	1,743,062	22,272	1,745,658	20,015	1,745,658	19,315
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(1,743,062)</b>	<b>(557)</b>	<b>(1,745,658)</b>	<b>-</b>	<b>(1,745,658)</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 beneficiaries 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 \$3,600 per farm. Economic pressures have already reduced the number of farms from 189 to 143 from FY 03-04 to FY 08-09. 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 \$47,000. 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, 2009, an estimated \$160,000 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?

In FY 08-09, inspector territories were 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 has submitted a request for replacement vehicles for the 2010-2011 Fiscal Year. By June 30, 2010, four of the Division's vehicles will meet the updated 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 \$4,000 per year consisting of savings on repair bills and fuel costs. This reduction in costs would not be fully realized until the end of the 2010-2011 Fiscal Year. However, if this issue goes unfunded and the vehicles become undrivable, the cost to reimburse mileage for the employees driving these vehicles jumps to \$33,000 per 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 \$3,600 per farm. Economic pressures have reduced the number of farms by 22% in the last six 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 \$47,000. 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 @ \$116.36 each	\$ 581.80
15 Product Samples (collect) per year @ \$116.36 each	\$1,745.40
75 Product Analyses (15 x 5) @ \$10.01 each	\$ 750.75
4 Water Samples (collect) per year @ \$116.36 each	\$ 465.44
4 Water Analyses (4 x 1) @ \$10.01 each	<u>\$ 40.04</u>
TOTAL for Farm	\$3,583.43

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

5 Processing Inspections per year @ \$116.36 each	\$ 581.80
16 Pasteurizer Inspection per year @ \$116.36 each (4 pasteurizers x 4 inspections)	\$ 1,861.76
180 Product Samples (collect) per year @ \$116.36	\$20,944.80
2,160 Product Analyses (180 x 12) @ \$10.01 each	\$21,621.60
16 Water Samples (collect) per year @ \$116.36 each	\$ 1,861.76
16 Water Analyses (16 x 1) @ \$10.01 each	<u>\$ 160.16</u>
TOTAL for Plant	\$47,031.88

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, 2009, and a review of establishment records in 2008-2009 Fiscal Year for repeated violations of inspection and/or sampling criteria.

Permit Type	# Active	Fee	Revenue
Milk Producer	143	\$100	\$ 14,300
Milk Plant			
In-State	18	\$275	\$ 4,950
Out-of-State*	110	\$275	\$ 15,125
Wash Station	7	\$100	\$ 700
Receiving Station	0	\$100	-
Transfer Station	0	\$100	-
Single Service	16	\$200	\$ 3,200
Manufacturing Plant	8	\$100	\$ 800
Milk Hauler/Sampler**	124	\$ 75	\$ 4,650
Milk Tanker***	1,306	\$ 80	\$104,480
Distributor	31	\$100	\$ 3,100
Certified Lab**	22	\$ 75	\$ 825
RVWL, WL & HO/SS	197	\$ 80	\$ 15,760
Accelerated Sampling	10	\$200	\$ 2,000
TOTAL			\$169,890

\*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.

SPECIAL NOTE – There are approximately 8 companies that are considered producer/processor and hold two types of permits as required by the PMO. These companies could be paying two permit fees under this fee structure.

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.

HO/SS – Hold Order or Stop Sale – Issued when various samples do not meet acceptable standards. A Hold Order or Stop Sale is immediately placed on all product until an acceptable sample is obtained.

Accelerated Sampling – This is 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 AL, LA, MS, NC and TN are currently charging fees.

AL – \$250 for Milk Plant, Single Service and Frozen Dessert

LA – \$90 for Milk Producer and \$300 for Milk Plant

MS – \$300 for Milk Plant or Frozen Dessert and \$100 for Manufacturing Plant

NC – \$40 for Frozen Dessert or Manufacturing Plant (annual inspection fee)

TN – Sliding scale fee based on pounds received in plant - \$20 - \$400

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.

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

Department: **Agriculture and Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Dairy Regulatory Program

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No - 502 and 503, Florida Statutes

What percent of the regulatory cost is currently subsidized? (0 to 100%) 100% General Revenue; <1% General Inspection Trust Fund

If the program is subsidized from other state funds, what is the source(s)? GR; GITF

What is the current annual amount of the subsidy? \$1,743,062 GR; \$557 GITF

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)
Ice Cream and Frozen Desserts Wholesale Manufacturers	Frozen Dessert License	503.041	\$200 Initial \$100 Renewal	1991	No	\$200 Initial \$100 Renewal	General Inspection Trust Fund
Industry Analysts who test results are used as basis for payment to farmers.	Milkfat Tester's Permit	502.032	\$125 every two years	1993	No	\$125 every two years	General Inspection Trust Fund



# Division of Food Safety Exhibits or Schedules

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

**Department:** Agriculture and Consumer Services **Budget Period: 2010-11**  
**Program:** Food Store Inspection Program/Food Lab  
**Fund(s):** General Revenue, Federal Grants Trust Fund, General Inspection Trust Fund

**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 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
Food Permit Fees			15,202,210			15,000,000			15,000,000
Reinspection Fees			176,205			160,000			160,000
Late Filing Penalties			149,034			160,000			160,000
Administrative Fines			559,016			600,000			600,000
Plan Review Fees			9,940			12,000			12,000
U.S. Grants		993,127			1,770,000			1,770,000	
Certification Report Fees			152,071			140,000			140,000
Bottled Water Permits			92,205			95,000			95,000
Epidemiology Surcharge			448,811			435,000			435,000
Misc. Revenue (Refunds, Other)			12,001			12,000			12,000
FDA Contract Agreement			313,320			300,000			300,000
<b>Total Fee Collection to Line (A) - Section III</b>	-	993,127	17,114,813	-	1,770,000	16,914,000	-	1,770,000	16,914,000

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
Salaries and Benefits		495,370	9,648,347		885,000	10,000,000		885,000	10,000,000
Other Personal Services		50,125	9,204		50,000	20,000		50,000	20,000
Expenses	33,579	342,082	1,954,449		615,000	2,200,000		615,000	2,100,000
Operating Capital Outlay	42,592	46,059	15,575		150,000	215,000		150,000	45,000
Data Processing	36,933	4,896	478,914		5,000	500,000		5,000	500,000
General Revenue S/C			1,241,811			1,353,120			1,353,120
Refunds			18,594			20,000			20,000
Transfers-Epidemiology			391,930			400,000			400,000
Indirect Costs Charged to Trust Fund	9,267	52,501	2,101,550		65,000	2,200,000		65,000	2,200,000
<b>Total Full Costs to Line (B) - Section III</b>	122,371	991,033	15,860,375	-	1,770,000	16,908,120	-	1,770,000	16,638,120

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
		GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
TOTAL SECTION I	(A)	-	993,127	17,114,813		1,770,000	16,914,000		1,770,000	16,914,000
TOTAL SECTION II	(B)	122,371	991,033	15,860,375	-	1,770,000	16,908,120	-	1,770,000	16,638,120
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(122,371)</b>	<b>2,094</b>	<b>1,254,438</b>	<b>-</b>	<b>-</b>	<b>5,880</b>	<b>-</b>	<b>-</b>	<b>275,880</b>

**EXPLANATION of LINE C:**

The overall GITF surplus in FY 08-09 in the Food Store Inspection Program was the result of an additional \$1,345,000 in Food Permit Fee revenues as the result of a rule change, effective January 1, 2008. The Schedule 1 projection is for Food Permit Fee revenues to remain at about \$15 million for FY 09-10 and FY 10-11. All other revenue types are projected to remain the same for the next two fiscal years. Expenditures are projected to increase in the program as vacant positions are filled.

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 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.

## 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?

The Division of Food Safety has recently been awarded a Cooperative Agreement from the FDA, a portion of which is to be used to develop an infrastructure utilizing rapid response capability to a potential adverse food/feed event. Only five other states across the nation were selected as the first states to pilot this venture. The agreement consists of \$1.5 million over a three year period. The Division is responsible for coordinating efforts with various state agencies to develop a cohesive network to activate a complete response and recovery to adverse incidents involving food and/or feed. We also are working closely with the FDA District Office in Florida with additional training and exercises to be adequately prepared to work seamlessly together to not duplicate efforts and also to function as one unit for timeliness and optimum efficiency. Additionally, we are working closely with other sister Divisions within the Department, such as the Division of Agricultural Environmental Services, the Division of Fruits & Vegetables and the Office of Agricultural Emergency Preparedness. Our mission is to have subject matter experts in various commodities that are specific to Florida, that are on-call and available 24 hours a day, 7 days a week, to respond and travel to an incident with much pre-planning and expert consultations.

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

Areas where further efficiencies are in the developmental process:

- 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. The Division was awarded a federal cooperative agreement grant (see # 1 above) that is funding this current endeavor. A business plan is near completion and programming contractors will be secured within the next several months.
- b. Food Safety received Legislative budget authority in 2009 to secure the development and installation of an 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 vendor has been selected through the *Invitation To Negotiate* process and implementation of the new LIMS will begin very soon.

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. 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 was implemented to bring in an estimated \$1 million increase in revenues to the program. Current cost statements indicate the Division collected sufficient revenue during the past fiscal year to support its food safety mission during that time period. Sufficiency of funds going forward is contingent upon the census of food firms to be billed for services provided and the relationship of costs incurred to provide such services.

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. General Revenue funds were historically a component of this program; used to supplement the fees generated in support of the program. At such time that Florida revenue resources recover, consideration should be given to restore the provision of General Revenue funds to 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.

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.





# 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: 2010-11**

**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 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
Receipts:									
<u>U.S. Grants</u>		156,653			160,000			160,000	
<u>Feed Deficiency Penalties</u>			2,425			2,425			2,425
<u>Feed Master Registration</u>			552,580			552,580			552,580
<u>Feed Lab Certification</u>			2,500			2,500			2,500
<u>Administrative Fines</u>			50,301			50,301			50,301
<u>Misc. - Other</u>									
<u>BSE Inspection</u>			49,000			147,000			98,000
<u> </u>									
<u> </u>									
<u> </u>									
<u> </u>									
<b>Total Fee Collection to Line (A) - Section III</b>	-	156,653	656,806	-	160,000	754,806	-	160,000	705,806

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
<u>Direct Costs:</u>									
Salaries and Benefits	21,055	49,377	123,545	6,327		70,040	6,327		70,040
Other Personal Services		65,423			75,000			75,000	
Expenses	330	33,101	16,044		35,000	2,630		35,000	2,630
Contracted Services	287	113	3,183		20,000			20,000	
Operating Capital Outlay		8,639			30,000			30,000	
Data Processing	592		5,807	592		5,807	592		5,807
General Revenue S/C			46,712			60,384			56,464
Field Inspection	1,374		226,273	924		259,515	924		259,515
Refunds			3,765			3,765			3,765
Indirect Costs Charged to Trust Fund	17,819		118,817	4,993		55,949	4,993		55,949
<b>Total Full Costs to Line (B) - Section III</b>	<b>41,457</b>	<b>156,653</b>	<b>544,146</b>	<b>12,836</b>	<b>160,000</b>	<b>458,090</b>	<b>12,836</b>	<b>160,000</b>	<b>454,170</b>

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
		GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
TOTAL SECTION I	(A)	-	156,653	656,806		160,000	754,806		160,000	705,806
TOTAL SECTION II	(B)	41,457	156,653	544,146	12,836	160,000	458,090	12,836	160,000	454,170
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(41,457)</b>	<b>-</b>	<b>112,660</b>	<b>(12,836)</b>	<b>-</b>	<b>296,716</b>	<b>(12,836)</b>	<b>-</b>	<b>251,636</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. The surplus of revenues over expenditures is used to help offset the deficit in the Worker Safety Program.

## 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 field inspection activities by a total of \$40,999 since 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 anticipate to continue to operate at costs reduced from those of the program prior to the implementation of the risk assessment strategy.

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, 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, and we anticipate that this will continue for 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 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.





**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: 2010-11**

**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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<u>Receipts:</u>						
<u>Fertilizer Dealer Licenses</u>		55,100		55,100		55,100
<u>Fertilizer Reporting Fees</u>		1,397,923		1,412,585		1,454,963
<u>Lime Reporting Fees</u>		134,087		160,411		165,223
<u>Phosphate Reporting Fees</u>		3,792		5,566		5,733
<u>Specialty Fertilizer Registration</u>		116,050		176,200		176,200
<u>Commercial Sampling</u>		9,627		9,627		9,627
<u>Penalties</u>		93,873		93,873		93,873
<u>Administrative Fines</u>		8,575		8,575		8,575
<u>Misc.</u>		368		368		368
<u>Fees - Fert., Lime &amp; Phosp. Rate Shortages</u>						
<b>Total Fee Collection to Line (A) - Section III</b>	<b>-</b>	<b>1,819,395</b>	<b>-</b>	<b>1,922,305</b>	<b>-</b>	<b>1,969,662</b>

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<u>Direct Costs:</u>						
<u>Salaries and Benefits</u>	442,378	600,460	202,877	685,368	202,877	685,368
<u>Other Personal Services</u>						
<u>Expenses</u>	11,066	117,209	5,609	162,366	5,609	162,366
<u>Contracted Services</u>	6,585	27,721	5,675	17,173	5,675	17,173
<u>Operating Capital Outlay</u>						
<u>Data Processing</u>	5,141	28,148	5,141	28,148	5,141	28,148
<u>General Revenue S/C</u>		134,948		153,784		157,573
<u>Refunds</u>		17,214		17,214		17,214
<u>Field Inspection</u>	3,436	565,683	2,311	648,787	2,311	648,787
<u>Indirect Costs Charged to Trust Fund</u>	165,081	394,219	39,259	221,874	39,259	221,874
<b>Total Full Costs to Line (B) - Section III</b>	<b>633,687</b>	<b>1,885,602</b>	<b>260,872</b>	<b>1,934,714</b>	<b>260,872</b>	<b>1,938,503</b>

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	1,819,395		1,922,305		1,969,662
TOTAL SECTION II	(B)	633,687	1,885,602	260,872	1,934,714	260,872	1,938,503
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(633,687)</b>	<b>(66,207)</b>	<b>(260,872)</b>	<b>(12,409)</b>	<b>(260,872)</b>	<b>31,159</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.

## 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 (3,793 in FY 08-09 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 168 in FY 08-09.

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 to continue to operate at costs reduced from those of the program prior to the implementation of the risk assessment strategy.

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 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 fee increases enacted by the 2008 and the 2009 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 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 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 anticipated to be adequate to cover direct and indirect costs for the General Inspection 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 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.

## Examination of Regulatory Fees - Part II

Department: **Agriculture & Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Fertilizer Regulation

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No, Ch. 576, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 91% GR and 9% GITF

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? \$633,687 GR and \$66,207 GITF

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)
Regulate Fertilizer Companies	Fertilizer License	576.045 and 576.021	Yes	1994	No	\$200	General Inspection Trust Fund
Regulate Fertilizer Companies	Specialty Fert. Reg.	576.045 and 576.021	Yes	2009	No	\$200	General Inspection Trust Fund
Regulate Fertilizer Companies	Inspection Fees	576.041	Yes	2008	No	\$.30 Lime, \$1.00 Ton.	General Inspection Trust Fund
Regulate Fertilizer Companies	Nitrogen/Phosphorus Fee	576.045	Yes	1994	No	Additional \$.50 Ton for Nitrogen or Phosphorus	General Inspection Trust Fund
Regulate Fertilizer Companies	Commercial Fertilizer Test	576.051(2)	Yes	1998	Yes	Various Charges	General Inspection Trust Fund

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

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

**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 licenses.

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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	PCTF	GR	PCTF	GR	PCTF
Receipts:						
<u>Exam Fees</u>		478,021		495,662		505,575
<u>Prior Notification Fees</u>		2,825		1,767		1,767
<u>Emergency Certification Fees</u>		39,490		31,442		31,442
<u>Pest Control Licenses</u>		2,566,792		2,781,612		2,837,244
<u>Special Handling Fees</u>		8,700		6,917		6,917
<u>Late Penalties</u>		67,210		66,302		66,302
<u>Administrative Fines</u>		52,524		137,266		137,266
<u>Interest on Investments</u>		11,138		12,880		11,892
<u>Misc. Service Fees/Copies/Refunds Prior Yrs</u>		556		551		551
<u>Misc. - Other/ Refunds</u>		6,266		4,866		4,866
<u>Limited Cert. Comm. Fert. App. (new)</u>				65,000		12,500
<b>Total Fee Collection to Line (A) - Section III</b>		<b>3,233,522</b>		<b>3,604,265</b>		<b>3,616,322</b>

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	PCTF	GR	PCTF	GR	PCTF
<b>Direct Costs:</b>						
Salaries and Benefits	263,097	2,342,764	111,640	2,764,039	111,640	2,776,096
Other Personal Services	5,399	30,244	-	21,530	-	21,530
Expenses	38,536	404,078	4,511	376,076	4,511	376,076
Contracted Services	3,410	180,776	3,410	106,425	3,410	106,425
Operating Capital Outlay						
Data Processing		45,409		45,409		45,409
General Revenue S/C						
Assessment on Investments		468		468		468
Refunds	-	7,160		7,160		7,160
Indirect Costs Charged to Trust Fund	104,090	253,158	172,941	283,158	172,941	283,158
<b>Total Full Costs to Line (B) - Section III</b>	<b>414,532</b>	<b>3,264,057</b>	<b>292,502</b>	<b>3,604,265</b>	<b>292,502</b>	<b>3,616,322</b>

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	PCTF	GR	PCTF	GR	PCTF
TOTAL SECTION I	(A)		3,233,522	-	3,604,265		3,616,322
TOTAL SECTION II	(B)	414,532	3,264,057	292,502	3,604,265	292,502	3,616,322
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(414,532)</b>	<b>(30,535)</b>	<b>(292,502)</b>	<b>-</b>	<b>(292,502)</b>	<b>-</b>

**EXPLANATION of LINE C:**

This regulatory activity is supported by General Revenue that is appropriated annually by the Legislature and by funds collected from the industry and deposited into the Pest Control Trust Fund. 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.

Office of Policy and Budget - July, 2009



## 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. 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 3,298 in FY 08-09.

Efforts to increase efficiencies in this program area include:

- Reducing the number of field offices from ten to three.
- 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 cover 90% of all direct and indirect charges to the Pest Control Trust Fund 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.

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.

## 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%) 93% GR and 7% GITF

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? \$414,532 GR and \$30,535 GITF

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: 2010-11**

**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 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
<u>U. S. Grants</u>		760,656			760,656			760,656	
<u>Pesticide Dealer's License</u>			101,425			101,425			101,425
<u>Pesticide Applicator's License</u>			423,535			423,882			423,882
<u>Pesticide Registration</u>			5,101,763			5,076,323			5,076,323
<u>Misc - Penalties</u>			15,658			15,658			15,658
<u>Administrative Fines</u>			21,763			21,763			21,763
<u>Misc. - Other</u>			471			471			471
<u>Refunds</u>			0						
<u>Supplemental Registration (new)</u>			-			251,911			251,911
<u>Other transfers/donations</u>			65,343			-			
<u> </u>									
<b>Total Fee Collection to Line (A) - Section III</b>	-	760,656	5,729,958	-	760,656	5,891,433	-	760,656	5,891,433

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
Direct Costs:									
Salaries and Benefits	110,443	327,442	2,137,156	75,281	74,687	1,687,273	75,281	74,687	1,687,273
Other Personal Services									
Expenses	57,506	160,789	130,478	33,645	30,000	173,253	33,645	30,000	173,253
Contracted Services	19,794	126,146	82,680	16,803	130,000		16,803	130,000	
Operating Capital Outlay	6,733	43,225			20,000			20,000	
Data Processing	18,751		90,983	18,751		90,983	18,751		90,983
Transfers									
General Revenue S/C			642,428			471,315			471,315
Field Inspection	5,612		750,246	3,774		860,464	3,774		860,464
Refunds			3,703			3,703			3,703
Indirect Costs Charged to Trust Fund	41,421	44,943	1,026,605	131,657	44,943	809,891	131,657	44,943	809,891
<b>Total Full Costs to Line (B) - Section III</b>	<b>260,260</b>	<b>702,545</b>	<b>4,864,279</b>	<b>279,911</b>	<b>299,630</b>	<b>4,096,882</b>	<b>279,911</b>	<b>299,630</b>	<b>4,096,882</b>

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

**SECTION III - SUMMARY****ACTUAL FY 2008 - 09****ESTIMATED FY 2009 - 10****REQUEST FY 2010 - 11**

		GR	FGTF	GITF	GR	FGTF	GITF	GR	FGTF	GITF
TOTAL SECTION I	(A)	-	760,656	5,729,958		760,656	5,891,433		760,656	5,891,433
TOTAL SECTION II	(B)	260,260	702,545	4,864,279	279,911	299,630	4,096,882	279,911	299,630	4,096,882
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(260,260)</b>	<b>58,111</b>	<b>865,679</b>	<b>(279,911)</b>	<b>461,026</b>	<b>1,794,551</b>	<b>(279,911)</b>	<b>461,026</b>	<b>1,794,551</b>

**EXPLANATION of LINE C:**

This regulatory activity is supported by General Revenue that is appropriated annually by the Legislature 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 Legislature also created a new supplemental fee for pesticide registrations in 2009. The surplus is used to cover the deficits in the Fertilizer, Pest Control Regulation and the Worker Safety Programs.

## 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 were reduced another \$64,771 for FY 08-09.

The implementation of an Oracle-based, web-accessible registration system that has allowed the reduction of one staff position, while improving tracking of over 15,000 registered pesticides and have implemented a biennial registration program that began in January 2009 that allows 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.

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 and 2009 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 consumer benefits' or 'promoting health, safety and welfare' are not sufficient justification). For example, the program produces a range of benefits to the

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.

## Examination of Regulatory Fees - Part II

Department: **Agriculture & Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Pesticide Regulation

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No, Ch. 487, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 22% 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? \$260,260 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)
License Pesticide Applicators & Dealers	Private Applicators	487.045(1)	Yes	2002	Yes	\$100	General Inspection Trust Fund
License Pesticide Applicators & Dealers	Public Applicators	487.045(1)	Yes	2002	Yes	\$100	General Inspection Trust Fund
License Pesticide Applicators & Dealers	Commercial Applicators	487.045(1)	Yes	2002	Yes	\$250	General Inspection Trust Fund
License Pesticide Applicators & Dealers	Pesticide Dealer	487.048(1)	Yes	2002	Yes	\$250	General Inspection Trust Fund
Regulate Pesticide Products	Annual Pesticide Registration Fee	487.041(3)	\$350 per registered product; \$100 for Exp. Use Permit or	2008	No	\$350 per registered product; \$100 for Exp. Use Permit or Special Local Need	General Inspection Trust Fund
Analyze Pesticide Samples	Pesticide Sample Analysis Fee	487.071(7)(b)	\$400 per test	1993	(Authorized, not implemented)	none	General Inspection Trust Fund
Regulate Pesticide Products	Supplemental Registration Fee	487.041(3)	\$315 per applicable product	2009	Yes	\$315	General Inspection Trust Fund

**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: 2010-11**

**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 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 FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
<u>Seed Licenses</u>		446,130		1,037,093		1,037,093
<u>Seed Complaint Filing Fee</u>		700		700		700
<u>Misc. - Other</u>		5,140		1,845		1,845
<u>Refunds</u>		0				
<b>Total Fee Collection to Line (A) - Section III</b>	-	451,970	-	1,039,638	-	1,039,638

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
<u>Salaries and Benefits</u>	285,279	136,226	-	387,227	-	387,227
<u>Other Personal Services</u>						
<u>Contracted Services</u>	215	2,667	203	1,235	203	1,235
<u>Expenses</u>	1,577	22,697		36,795		36,795
<u>Operating Capital Outlay</u>						
<u>Data Processing</u>	2,491	9,820	2,491	9,820	2,491	9,820
<u>General Revenue S/C</u>		32,921		83,171		83,171
<u>Field Inspection</u>	1,031	169,705	693	194,636	693	194,636
<u>Refunds</u>		50		50		50
Indirect Costs Charged to Trust Fund	81,554	132,409	21,311	88,593	21,311	88,593
<b>Total Full Costs to Line (B) - Section III</b>	372,147	506,495	24,698	801,527	24,698	801,527

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	451,970		1,039,638		1,039,638
TOTAL SECTION II	(B)	372,147	506,495	24,698	801,527	24,698	801,527
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(372,147)</b>	<b>(54,525)</b>	<b>(24,698)</b>	<b>238,111</b>	<b>(24,698)</b>	<b>238,111</b>

**EXPLANATION of LINE C:**

The General Inspection Trust Fund deficit for FY 08-09 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 provides benefits to 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 2009 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 (2,919 in FY 08-09 compared to 2,945 in FY 07-08 and 3,094 in FY 06-07), but focused on potential areas of non-compliance, resulting in an equivalent number of samples found to be violative (111 in FY 08-09, 108 in FY 07-08, and 116 in FY 06-07). Costs for expenses and field inspections allocated to this program were reduced by \$6,205 from FY 07-08.

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?

Prior to a fee increase adopted by the 2009 Legislature, fees were not adequate to cover the direct and indirect costs of the program. Fees were doubled in 2009, so projected revenues for FY 09-10 are expected to cover 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.

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 2,348 licensed seed dealers in Florida in FY 08-09 reported \$98,587,407 in gross receipts. These seeds are the basis for Florida agriculture and backyard fruit and vegetable production.

Seed regulation includes resolution of disputes between growers and seed producers. Settlement payments of \$798,530 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 restricted noxious weed, tropical soda apple, a total of 60 lots, totaling 376,700 pounds of Bahiagrass and Aeschynomene seed contaminated with tropical soda apple have been identified and stopped from being sold or shipped during FY 06-07 through FY 08-09.

#### 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.



## Examination of Regulatory Fees - Part II

Department: **Agriculture & Consumer Services**

Regulatory Service to or Oversight of Business or Profession Program: Seed Regulation

Does Florida Statutes require the regulatory program to be financially self-sufficient? (Yes or No and F.S.): No, Ch. 578, F.S.

What percent of the regulatory cost is currently subsidized? (0 to 100%) 87%GR and 13% GITF

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? \$372,147 GR and \$54,525 GITF

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)
Regulate Seed Companies	Seed Licenses	578.08(1)	No	2009	No	Fees are variable, ranging from \$100 to \$4,600	General Inspection Trust Fund

# Division of Consumer Protection Exhibits or Schedules

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

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

**Budget Period: 2010-11**

**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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<b>Receipts:</b>						
<u>Business Opportunity Filing Fee</u>		226,110		226,110		226,110
<u>Administrative Fines</u>		(4,000)		28,540		28,540
<u>Miscellaneous Penalties</u>		105				
<u>Miscellaneous Other</u>		11				
<b>Total Fee Collection to Line (A) - Section III</b>	-	222,226	-	254,650	-	254,650

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<b>Direct Costs:</b>						
<u>Salaries and Benefits</u>		121,236		127,330		127,330
<u>Other Personal Services</u>		769		-		-
<u>Data Processing</u>		8,245		8,245		8,245
<u>Expenses</u>		21,265		12,500		12,500
<u>Operating Capital Outlay</u>		0		-		-
<u>Contracted Services</u>		510		-		-
<u>General Revenue S/C</u>		16,978		20,372		20,372
<u>Refunds</u>		3,550		3,550		3,550
<u>Indirect Costs Charged to Trust Fund</u>		39,892		39,892		39,892
<b>Total Full Costs to Line (B) - Section III</b>	-	212,445	-	211,889	-	211,889

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	222,226	-	254,650	-	254,650
TOTAL SECTION II	(B)	-	212,445	-	211,889	-	211,889
<b>TOTAL - Surplus/Deficit</b>	(C)	-	9,780	-	42,761	-	42,761

**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.

## 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. During the 2009 Special Session, the Division fund shifted all General Revenue appropriations to the General Inspection Trust

Fund. The Division's total annual revenue exceeded total operating and non-operating costs in an amount sufficient to absorb the cost of the program.

## Examination of Regulatory Fees - Part II

Department: **Agriculture and Consumer Services**

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%) 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)
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 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 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.

### 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: 2010-11**  
**Program:** Health Studios  
**Fund(s):** 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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
<u>Registration Fees</u>		551,460		551,460		551,460
<u>Administrative Fines</u>		47,760		63,093		63,093
<u>Miscellaneous Penalties</u>		370				
<b>Total Fee Collection to Line (A) - Section III</b>	-	599,590	-	614,553	-	614,553

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
<u>Salaries and Benefits</u>		118,812		122,650		122,650
<u>Other Personal Services</u>		753		-		-
<u>Data Processing</u>		8,080		8,080		8,080
<u>Expenses</u>		32,292		22,800		22,800
<u>Operating Capital Outlay</u>		0		-		-
<u>Contracted Services</u>		3,300		250		250
<u>General Revenue S/C</u>		46,519		49,164		49,164
<u>Refunds</u>		4,455		4,555		4,555
<u>Indirect Costs Charged to Trust Fund</u>		48,284		48,284		48,284
<b>Total Full Costs to Line (B) - Section III</b>	-	262,496	-	255,783	-	255,783

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	599,590	-	614,553	-	614,553
TOTAL SECTION II	(B)	-	262,496	-	255,783	-	255,783
<b>TOTAL - Surplus/Deficit</b>	(C)	-	337,093	-	358,770	-	358,770

**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.

## 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.

### 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%) 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)
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  
**Program:** Intrastate Moving Companies  
**Fund(s):** General Inspection Trust Fund

**Budget Period: 2010-11**

**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</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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<u>Registration Fees</u>		257,150		257,150		257,150
<u>Administrative Fines</u>		44,050		62,480		62,480
<u>Miscellaneous Penalties</u>		185				
<u>Miscellaneous Other</u>		312				
<b>Total Fee Collection to Line (A) - Section III</b>	-	301,697	-	319,630	-	319,630

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<u>Salaries and Benefits</u>		293,656		296,049		296,049
<u>Other Personal Services</u>		1,864		-		-
<u>Data Processing</u>		19,989		19,989		19,989
<u>Expenses</u>		48,343		24,700		24,700
<u>Operating Capital Outlay</u>		0		-		-
<u>Contracted Services</u>		2,195		-		-
<u>General Revenue S/C</u>		24,129		25,570		25,570
<u>Refunds</u>		1,250		1,250		1,250
<u>Indirect Costs Charged to Trust Fund</u>		95,574		95,574		95,574
<b>Total Full Costs to Line (B) - Section III</b>	-	486,999	-	463,132	-	463,132

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	301,697		319,630		319,630
TOTAL SECTION II	(B)	-	486,999	-	463,132	-	463,132
<b>TOTAL - Surplus/Deficit</b>	(C)	-	(185,302)	-	(143,502)	-	(143,502)

**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 FTE's with General Revenue funding. During the Special Session in 2009, the Division fund shifted its entire General Revenue appropriation of \$215,761 to 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:** 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 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. During the 2009 Special Session, the Division fund shifted all General Revenue appropriations to the General Inspection Trust Fund.

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. During the 2009 Special Session, the Division fund shifted all General Revenue appropriations to the General Inspection 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.

During the 2009 Special Session, the Division fund shifted all General Revenue appropriations to the General Inspection Trust Fund. The Division's total annual revenue exceeded total operating and non-operating costs in an amount sufficient to absorb the cost of the program.

### 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%) 100% General Inspection Trust Fund

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

What is the current annual amount of the subsidy? \$185,302 GITF

	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:** Motor Vehicle Repair Shops  
**Fund(s):** General Inspection Trust Fund

**Budget Period: 2010-11**

**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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
Registration Fees		1,045,023		1,045,023		1,045,023
Fees- Licenses, Sales Persons		0				
Administrative Fines		234,940		233,503		233,503
Miscellaneous Penalties		21,629				
Miscellaneous Refunds		14				
Miscellaneous Other		136				
<b>Total Fee Collection to Line (A) - Section III</b>	<b>-</b>	<b>1,301,741</b>	<b>-</b>	<b>1,278,526</b>	<b>-</b>	<b>1,278,526</b>

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
Salaries and Benefits		757,880		798,575		798,575
Other Personal Services		8,392		-		-
Data Processing		51,544		51,544		51,544
Expenses		113,394		52,550		52,550
Operating Capital Outlay		0		-		-
Contracted Services		7,392		400		400
General Revenue S/C		97,116		102,282		102,282
Refunds		23,478		23,478		23,478
Indirect Costs Charged to Trust Fund		246,450		246,450		246,450
<b>Total Full Costs to Line (B) - Section III</b>	<b>-</b>	<b>1,305,647</b>	<b>-</b>	<b>1,275,279</b>	<b>-</b>	<b>1,275,279</b>

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	1,301,741	-	1,278,526	-	1,278,526
TOTAL SECTION II	(B)	-	1,305,647	-	1,275,279	-	1,275,279
<b>TOTAL - Surplus/Deficit</b>	<b>(C)</b>	<b>-</b>	<b>(3,906)</b>	<b>-</b>	<b>3,247</b>	<b>-</b>	<b>3,247</b>

**EXPLANATION of LINE C:**

Motor Vehicle Repair Shop registrations for FY 08-09 were down 16.41% from the previous year. Registrations are expected to improve as the economy improves.

## 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?

Additional 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?

From FY 03-04 through FY 07-08, this program's biennial registration fee set by statute covered both direct and indirect costs for providing this regulatory service. FY 08-09 showed a 16% decrease in registrations from the previous year. As the economy improves, registrations are expected to increase.

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.

For the last five years, the Motor Vehicle Repair Program has been cost-neutral. Therefore, we feel that 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.

During the 2009 Special Session, the Division fund shifted all General Revenue appropriations to the General Inspection Trust Fund. The Division's total annual revenue exceeded total operating and non-operating costs in an amount sufficient to absorb the cost of the program.



## 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%) 100% General Inspection Trust Fund

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

What is the current annual amount of the subsidy? \$ 3,906 GITF

	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: 2010-11**  
**Program:** Pawn Shops  
**Fund(s):** 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.)

<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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
Registration Fees		356,200		369,736		383,786
Background Checks		17,388		15,461		15,461
Administrative Fines		560,000		124,500		124,500
Miscellaneous Penalties		117				
Miscellaneous Other		6				
<b>Total Fee Collection to Line (A) - Section III</b>	-	933,711	-	509,697	-	523,747

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
Salaries and Benefits		196,329		177,506		177,506
Other Personal Services		1,245		-		-
Data Processing		13,352		13,352		13,352
Expenses		61,040		45,250		45,250
Operating Capital Outlay		0		-		-
Contracted Services		14,691		1,150		1,150
General Revenue S/C		67,605		40,776		41,900
Refunds		2,604		2,604		2,604
Indirect Costs Charged to Trust Fund		63,843		63,843		63,843
<b>Total Full Costs to Line (B) - Section III</b>	-	420,710	-	344,481	-	345,605

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	933,711		509,697		523,747
TOTAL SECTION II	(B)	-	420,710	-	344,481	-	345,605
<b>TOTAL - Surplus/Deficit</b>	(C)	-	513,001	-	165,216	-	178,142

**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.

## 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. During the 2009 Special Session, the Division fund shifted all General Revenue appropriations to the General Inspection Trust

Fund. The Division's total annual revenue exceeded total operating and non-operating costs in an amount sufficient to absorb the cost of the program.

## 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%) 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)
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  
**Program:** Sellers of Travel  
**Fund(s):** General Inspection Trust Fund

**Budget Period: 2010-11**

**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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<u>Receipts:</u>						
<u>Initial Fee</u>		116,900		116,900		116,900
<u>Renewal Fee</u>		472,350		472,350		472,350
<u>DOC Submission Fee</u>		100		100		100
<u>Travel Independent Agents</u>		165,480		165,480		165,480
<u>Administrative Fines</u>		21,751		53,802		53,802
<u>Miscellaneous Penalties</u>		350				
<u>Miscellaneous Refunds</u>						
<u>Miscellaneous Other</u>		220				
<b>Total Fee Collection to Line (A) - Section III</b>	-	777,151	-	808,632	-	808,632

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<u>Direct Costs:</u>						
<u>Salaries and Benefits</u>		329,952		323,302		323,302
<u>Other Personal Services</u>		2,092				
<u>Data Processing</u>		22,440		22,440		22,440
<u>Expenses</u>		42,013		15,235		15,235
<u>Operating Capital Outlay</u>		0		-		-
<u>Contracted Services</u>		52,262		1,600		1,600
<u>General Revenue S/C</u>		57,980		64,691		64,691
<u>Refunds</u>		10,850		10,850		10,850
<u>Indirect Costs Charged to Trust Fund</u>		118,456		118,456		118,456
<b>Total Full Costs to Line (B) - Section III</b>	-	636,046	-	556,574	-	556,574

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	777,151	-	808,632	-	808,632
TOTAL SECTION II	(B)	-	636,046	-	556,574	-	556,574
<b>TOTAL - Surplus/Deficit</b>	(C)	-	141,105	-	252,058	-	252,058

**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.

## 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, streamlining administrative processes, and online registration of independent sales agents. 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.

### 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%) 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)
Sellers of Travel	Registration fee	s. 559.928	\$300 annually set by statute	1991	No	\$300	General Inspection Trust Fund

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

**Department:** Agriculture and Consumer Services **Budget Period: 2010-11**  
**Program:** Solicitation of Contributions  
**Fund(s):** 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.)

<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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<u>Registration Fees</u>		2,154,890		2,284,183		2,421,234
<u>Penalties - Late Filing Fees</u>		66,310		55,273		55,273
<u>Return Check Charge</u>		583				
<u>Administrative Fines</u>		124,424		73,474		73,474
<u>Refunds</u>		120				
<u>Miscellaneous Other</u>		392				
<b>Total Fee Collection to Line (A) - Section III</b>	-	2,346,718	-	2,412,930	-	2,549,981

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
<u>Salaries and Benefits</u>		800,513		844,273		844,273
<u>Other Personal Services</u>		8,416		-		-
<u>Data Processing</u>		54,443		54,443		54,443
<u>Expenses</u>		99,325		34,150		34,150
<u>Operating Capital Outlay</u>		0		-		-
<u>Contracted Services</u>		6,062		275		275
<u>General Revenue S/C</u>		135,933		193,034		203,998
<u>Refunds</u>		127,234		127,234		127,234
<u>Indirect Costs Charged to Trust Fund</u>		283,499		283,499		283,499
<b>Total Full Costs to Line (B) - Section III</b>	-	1,515,425	-	1,536,908	-	1,547,872

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	2,346,718	-	2,412,930	-	2,549,981
TOTAL SECTION II	(B)	-	1,515,425	-	1,536,908	-	1,547,872
<b>TOTAL - Surplus/Deficit</b>	(C)	-	831,293	-	876,022	-	1,002,109

**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.

## 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. During the 2009 Special Session, the Division fund shifted all General Revenue appropriations to the General Inspection Trust

Fund. The Division's total annual revenue exceeded total operating and non-operating costs in an amount sufficient to absorb the cost of the program.

**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%) 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)
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 Inspection Trust Fund

**Budget Period: 2010-11**

**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**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Receipts:						
<u>Licenses-Commercial Telephone Sales</u>		397,995		397,995		397,995
<u>Licenses-Sales Persons</u>		570,400		570,400		570,400
<u>Licenses-Change Information</u>		19,970		-		-
<u>Administrative Fines</u>		73,025		106,065		106,065
<u>Miscellaneous Other</u>		1,267				
<b>Total Fee Collection to Line (A) - Section III</b>	-	1,062,657	-	1,074,460	-	1,074,460

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Direct Costs:						
<u>Salaries and Benefits</u>		98,163		92,354		92,354
<u>Other Personal Services</u>		622		-		-
<u>Data Processing</u>		6,676		6,676		6,676
<u>Expenses</u>		25,365		16,500		16,500
<u>Operating Capital Outlay</u>		0		-		-
<u>Contracted Services</u>		76,545		100		100
<u>General Revenue S/C</u>		82,223		85,957		85,957
<u>Refunds</u>		7,541		7,541		7,541
<u>Indirect Costs Charged to Trust Fund</u>		39,121		39,121		39,121
<b>Total Full Costs to Line (B) - Section III</b>	-	336,256	-	248,249	-	248,249

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	1,062,657		1,074,460		1,074,460
TOTAL SECTION II	(B)	-	336,256	-	248,249	-	248,249
<b>TOTAL - Surplus/Deficit</b>	(C)	-	726,401	-	826,211	-	826,211

**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.

## 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, streamlining administrative processes, and making available online registration for telemarketing salespersons. 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?

Additional 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.

The fees are sufficient to cover program cost. During the 2009 Special Session, the Division fund shifted all General Revenue appropriations to the General Inspection Trust Fund. The Division's total annual revenue exceeded total operating and non-operating costs in an amount sufficient to absorb the cost of the program.



# Division of Standards Exhibits or Schedules

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

**Department:** Agriculture and Consumer Services **Budget Period: 2010-11**  
**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 FY 2008 - 09</b>	<b>ESTIMATED FY 2009 - 10</b>	<b>REQUEST FY 2010 - 11</b>
<u>Receipts:</u>			
Amusement Ride Permits	682,772	682,772	682,772
Lost USA ID Tag/Permit	2,200	2,200	2,200
Kiddie Amusement Ride Inspection	65,903	65,903	65,903
Non-Kiddie Ride/Go Kart Insp. Fees	431,786	431,786	431,786
Late Notice Inspection Fees	48,940	48,940	48,940
Failure to Cancel Inspection Fee	4,200	4,200	4,200
Fee - Reinspection	43,780	43,780	43,780
Fee Fair/Super Ride	137,939	137,939	137,939
Bungee Permit	500	500	500
Weekend Inspection Fee	14,552	14,552	14,552
Returned Check Penalties	500	0	0
Insurance Recoveries	2,476	0	0
Administrative Fines	8,750	7,000	7,000
Miscellaneous Refunds	442	0	0
Miscellaneous Other	807	800	800
<b>Total Fee Collection to Line (A) - Section III</b>	<b>1,445,547</b>	<b>1,440,372</b>	<b>1,440,372</b>

**SECTION II - FULL COSTS**

	<b>ACTUAL FY 2008 - 09</b>	<b>ESTIMATED FY 2009 - 10</b>	<b>REQUEST FY 2010 - 11</b>
<u>Direct Costs:</u>			
Salaries and Benefits	1,074,819	1,128,743	1,128,743
Other Personal Services			
Expenses	187,224	187,914	187,914
Contracted Services	9,741	11,500	11,500
Refunds	1,559	1,559	1,559
Data Processing	32,298	32,298	32,298
General Revenue S/C	108,339	115,230	115,230
Indirect Costs Charged to Trust Fund			
<b>Total Full Costs to Line (B) - Section III</b>	<b>1,413,979</b>	<b>1,477,244</b>	<b>1,477,244</b>

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

**SECTION III - SUMMARY**

		<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
		<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>	<b>FY 2010 - 11</b>
TOTAL SECTION I	(A)	1,445,547	1,440,372	1,440,372
TOTAL SECTION II	(B)	1,413,979	1,477,244	1,477,244
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>31,568</b>	<b>(36,872)</b>	<b>(36,872)</b>

**EXPLANATION of LINE C:**

Revenue collections of \$1,500,370 in FY 07-08 decreased to \$1,445,547 in FY 08-09, which was an approximate 4% decrease. Due to the recent economic downturn, estimated revenues for the General Inspection Trust Fund for FY 09-10 and FY 10-11 for this program will result in deficit spending. The deficit in this program is covered by the overall Department cash balances in this trust fund.

Office of Policy and Budget - July, 2009



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

**Department:** Agriculture & 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?

The Bureau implemented a plan to reduce the frequency of express mailings (UPS, FedEx, etc.) from field inspectors. There are 14 amusement ride inspectors who mail inspections fees, invoices and inspection reports to the Bureau four times a week. During this last fiscal year, the Bureau limited those mailings to three times per week via express mail, saving over \$6,000.

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

The Bureau is conducting a cost benefit analysis to determine if it is cost effective to conduct unannounced amusement ride inspections. Potential fuel savings are over \$2,000.

The Bureau examined how amusement ride inspectors purchase ink cartridges and found many times that the wrong and less efficient size of ink cartridges were purchased, resulting in excessive costs. The Bureau discontinued the practice of field inspectors purchasing cartridges themselves and centralized the purchasing process. Projected savings: \$1,200 a year.

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

Yes. The Bureau 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 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.

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.

N/A

## 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: 2010-11**

**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 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 FY 2008 - 09</b>	<b>ESTIMATED FY 2009 - 10</b>	<b>REQUEST FY 2010 - 11</b>
<u>Receipts:</u>			
LP Gas License Fees	1,511,016	1,498,314	1,498,314
LP Gas Fees	94,613	86,633	86,633
U.S. Grants	65,995	0	0
Fees-Truck Registration	20,900	20,217	20,217
Miscellaneous Refunds	18	0	0
Miscellaneous Penalties	199	0	0
Miscellaneous Other	2,642	3,802	3,802
Administrative Fines	94,800	101,298	101,298
<b>Total Fee Collection to Line (A) - Section III</b>	<b>1,790,183</b>	<b>1,710,264</b>	<b>1,710,264</b>

**SECTION II - FULL COSTS**

	<b>ACTUAL FY 2008 - 09</b>	<b>ESTIMATED FY 2009 - 10</b>	<b>REQUEST FY 2010 - 11</b>
<u>Direct Costs:</u>			
Salaries and Benefits	1,075,604	1,116,034	1,116,034
Other Personal Services	6,032	6,000	6,000
Expenses	126,344	120,000	120,000
Contracted Services	25,784	29,000	29,000
Refunds	7,203	7,203	7,203
Data Processing	36,874	36,874	36,874
General Revenue S/C	128,026	136,821	136,821
Indirect Costs Charged to Trust Fund	383,674	296,967	296,967
<b>Total Full Costs to Line (B) - Section III</b>	<b>1,789,540</b>	<b>1,748,899</b>	<b>1,748,899</b>

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

**SECTION III - SUMMARY**

		<b>ACTUAL FY 2008 - 09</b>	<b>ESTIMATED FY 2009 - 10</b>	<b>REQUEST FY 2010 - 11</b>
TOTAL SECTION I	(A)	1,790,183	1,710,264	1,710,264
TOTAL SECTION II	(B)	1,789,540	1,748,899	1,748,899
<b>TOTAL - Surplus/Deficit</b>	<b>(C)</b>	<b>643</b>	<b>(38,635)</b>	<b>(38,635)</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:** Bureau of Liquefied Petroleum 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 “Blue Book” (copy of Chapter 527, Florida Statutes, and applicable administrative rules) was recently made available on-line. Although the Bureau charged \$3.00 per copy, this fee did not cover the cost of reproduction and mailing. Providing the book on-line will allow the Bureau to forego costs related to paper, printing and mailing. This is estimated to save approximately \$500 - \$1,000 per year.

The Bureau has continued a program of on-line licensure renewal begun approximately four 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 license 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?

Inspectors’ geographic responsibilities were recently realigned after the Department ceased participation in the Federal Pipeline Program. While the Department continues to review pipeline systems for safety concerns, it no longer inspects such systems for compliance with federal, administrative and operational requirements. The pipeline inspectors picked up routine inspection responsibilities in counties near their home bases allowing other inspectors to reassign to counties closer to their homes. This has cut down on overnight travel. In FY 07-08, approximately \$48,000 was spent on inspector-related travel; in FY 08-09, travel was reduced to approximately \$20,328.

The Bureau has proposed legislation changing the renewal date for approximately ½ of the over 12,000 LP-gas licenses. All licenses currently expire on August 31<sup>st</sup> annually. Renewing two types of licenses in March instead of August, would divide the number in half, allowing the workload to be spread-out throughout the year instead of being processed during a four-month period. Processing licenses in this manner should allow the Bureau to forego hiring OPS help specifically hired to process renewals between June and September. Cost savings would be approximately \$7,000.

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 19 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 09-10.

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 19 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%) 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)
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: 2010-11**  
**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 <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 FY 2008 - 09</b>	<b>ESTIMATED FY 2009 - 10</b>	<b>REQUEST FY 2010 - 11</b>
<u>Receipts:</u>			
Gasoline & Oil Inspection Fee	10,358,872	9,251,733	9,251,733
Insurance Recoveries	730	0	0
Brake Fluid	17,775	21,698	21,698
Antifreeze Registrations	75,600	69,667	69,667
Administrative Fines	134,638	1,473,607	86,107
Refunds	322	0	0
Miscellaneous Other	461	112	112
Miscellaneous Penalties	150	0	0
Sale of Surplus Property	4,248	0	0
Interest Earned	534,103	727,746	542,798
<b>Total Fee Collection to Line (A) - Section III</b>	<b>11,126,899</b>	<b>11,544,563</b>	<b>9,972,115</b>

**SECTION II - FULL COSTS**

	<b>ACTUAL FY 2008 - 09</b>	<b>ESTIMATED FY 2009 - 10</b>	<b>REQUEST FY 2010 - 11</b>
<u>Direct Costs:</u>			
Salaries and Benefits	3,600,638	3,799,246	3,799,246
Other Personal Services	29,064	30,000	30,000
Expenses	758,812	741,000	741,000
Contracted Services	141,698	157,000	157,000
Operating Capital Outlay & Vehicles	125,563	437	437
Data Processing	155,287	155,287	155,287
General Revenue S/C	841,553	923,565	797,769
Refunds	2,657	3,000	3,000
Investment Costs	24,101	24,101	24,101
Indirect Costs Charged to Trust Fund	1,667,759	1,311,297	1,311,297
<b>Total Full Costs to Line (B) - Section III</b>	<b>7,347,132</b>	<b>7,144,933</b>	<b>7,019,137</b>

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

**SECTION III - SUMMARY**

		<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
		<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>	<b>FY 2010 - 11</b>
TOTAL SECTION I	(A)	11,126,899	11,544,563	9,972,115
TOTAL SECTION II	(B)	7,347,132	7,144,933	7,019,137
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>3,779,767</b>	<b>4,399,630</b>	<b>2,952,978</b>

**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. The surplus for FY 09-10 is higher due to a one-time estimated receipt of over \$1 million for price gouging fines.

## 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?

The recent acquisition of screening software for fuel testing in the laboratories has allowed the Bureau to add necessary additional testing resulting from the requirements of Section 526.203, F.S., without having to add additional staff at this time. However, this may become a necessity down the road. This is also with the assumption that legislative funding requests will be granted to purchase other necessary additional testing equipment to handle the increased testing load resulting from this new legislation.

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 resulted in a reduction of shipping costs by approximately \$2,000 per year.

Redefining the amount of information required for penalty assessment cases, which requires less time for inspectors to collect such information, resulted in the approximate reduction of four hours per inspector, per assessment report.

The field unit has continued to restructure sample collection to coincide even further with other activities conducted at gas stations, such as scheduled inspections, consumer complaints, pricing investigations, alternate generated power inspections, etc. It is unclear how much savings this additional restructuring has incurred, but it has aided in the overall goal of reducing the time required to conduct all of the aforementioned activities.

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

Introduction of a Laboratory Information Management System (LIMS) will reduce the amount of time needed to record, evaluate, report and account for data produced in the Bureau's laboratories. Actual cost reduction is difficult to quantify at this time as the LIMS is not operational yet and is still under construction.

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 even more prevalent than last year at gas stations throughout the state, significant changes continue to take place in Florida's motor fuel marketplace. As a result, it is imperative that such a transition continue to 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.

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





**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

**Budget Period: 2010-11**

**Specific Authority:** Ch. 531, F.S.  
**Purpose of Fees Collected:** Permitting fees for scales and weighing devices and metrology laboratory calibration services.

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		ESTIMATED		REQUEST	
	FY 2008 - 09		FY 2009 - 10		FY 2010 - 11	
Receipts:	GR	GITF	GR	GITF	GR	GITF
Metrology Calibration & Testing		46,460		45,771		45,771
Refunds, Shipping Costs		2,288		2,108		2,108
Meter/Scale Permit Fees		0		1,900,000		1,900,000
Administrative Fines		23,000		19,233		19,233
Miscellaneous Refunds		321		0		0
Miscellaneous Penalties		15		0		0
Miscellaneous Other		806		800		800
<b>Total Fee Collection to Line (A) - Section III</b>	-	72,890	-	1,967,912	-	1,967,912

**SECTION II - FULL COSTS**

	ACTUAL		ESTIMATED		REQUEST	
	FY 2008 - 09		FY 2009 - 10		FY 2010 - 11	
Direct Costs:	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits	1,575,116	270,227		1,960,085		1,960,085
Other Personal Services				11,572		11,572
Expenses	304,943	182,216		458,000		458,000
Contracted Services	15,000	21,037		44,000		44,000
Operating Capital Outlay		78,349				
Refunds		1,000		1,000		1,000
Data Processing	75,869					
General Revenue S/C		5,150		157,433		157,433
Indirect Costs charged to Trust Fund		96,391		521,562		521,562
<b>Total Full Costs to Line (B) - Section III</b>	1,970,928	654,370		3,153,652		3,153,652

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

**SECTION III - SUMMARY**

		ACTUAL		ESTIMATED		REQUEST	
		FY 2008 - 09		FY 2009 - 10		FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	72,890	-	1,967,912	-	1,967,912
TOTAL SECTION II	(B)	1,970,928	654,370	-	3,153,652	-	3,153,652
<b>TOTAL - Surplus/Deficit</b>	(C)	(1,970,928)	(581,480)	-	(1,185,740)	-	(1,185,740)

**EXPLANATION of LINE C:**

Expenditures in this document represent expenditures in the Bureau of Weights and Measures. FY 08-09 deficits are attributable to the fact that there were no regulatory fees for weights and measures activities for FY 08-09. The program was primarily funded from General Revenue as weights and measures regulation protects both consumers and businesses from economic harm. There were about \$47,000 in annual revenues generated from non-regulatory laboratory calibration services provided by the metrology laboratory to private sector customers and \$23,000 in administrative fines. The FY 08-09 General Inspection Trust Fund (GITF) deficit in this program is covered by the overall Department cash balances in this trust fund.

Permit fees were authorized by the Legislature effective FY 09-10. The permitting fees were established so that the Weights and Measures Program could be shifted from General Revenue funding. The FY 09-10 and FY 10-11 GITF deficit in this program is covered by the overall Department cash balances in this trust fund.

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

**Department:** Agriculture & 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 continually adopts internal operational efficiencies to provide an acceptable level of service while the inspection workload has steadily increased and staff positions have decreased. Efficiencies include 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?

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 to meet statutory requirements 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 with 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 accepted governmental accounting procedures or official estimates by the Revenue Estimating Conference, if applicable?

The 2009 Legislature adopted Sections 531.60 -65, F.S. requiring owners of weighing and measuring devices to pay fees for permits to operate these devices commercially. Fees were set in statute based on estimates of the number of commercial devices and businesses with commercial devices.

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 fees are not adequate to cover the entire cost of the program. The permitting fees that were adopted in Sections 531.60 – 65, F.S. were set to replace the level of General Revenue funding 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?

Fees for businesses with large numbers of retail devices reflect the economies of scale realized in inspecting those businesses. The fees are permit fees, which are not able to provide financial incentives to maintain compliance. Such incentives are provided for in enforcement actions and penalties prescribed for non-compliance.

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 provides a vital consumer protection service for all citizens and visitors, as well as a level playing field for businesses and industry. It protects consumers and businesses from economic harm. The permitting requirements identify certain participants in the marketplace, in this case device owners, that benefit and/or create a need for the regulatory functions, and provides that they shoulder a percentage of the costs. However, every citizen (buyers and sellers) benefits from independent weights and measures regulatory functions during every commercial transaction, making it impossible to have every beneficiary pay the actual cost of their benefit.

Testing devices benefits both the owners of the devices and their customers; testing packages for accuracy and labeling compliance benefits consumers by assuring full, accurate measure and contents disclosure and benefits industries by providing a level playing field while eliminating unfair competitive advantages related to short measure, mislabeling and fraud.

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.

Increasing the device permit fees would be required to maintain an appropriate level of services and be self sufficient.

**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%) 77% General Revenue; 23% General Inspection Trust Fund

If the program is subsidized from other state funds, what is the source(s)? GR and GIFT

What is the current annual amount of the subsidy? \$1,970,928 GR; \$581,480 GIFT

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	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Retail scales; 1 - 5 in a single establishment - \$60	2009	No	\$40	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Retail scales; 6 - 10 in a single establishment - \$150	2009	No	\$125	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Retail scales; 11 - 30 in a single establishment - \$200	2009	No	\$175	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Retail scales; More than 30 in a single establishment - \$300	2009	No	\$225	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Scales; 100 - 5,000 lb. capacity - \$200	2009	No	\$75	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Scales; 5,000 - 20,000 lb. capacity - \$300	2009	No	\$150	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Scales; Over 20,000 lb capacity - \$400	2009	No	\$200	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Wheel Load Weighers - \$35	2009	No	\$15	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Static Railroad track scales \$1,000	2009	No	\$200	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Bely Conveyor Scales - \$500	2009	No	\$400	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	In Motion Railroad Track Scales - \$1,000	2009	No	\$200	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Mass Flow Meters up to 150 lb/minute - \$100	2009	No	\$100	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Mass Flow Meters >150 lb/minute - \$500	2009	No	\$250	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Volumetric Flow Meters up to 20 gal/minute - \$50	2009	No	\$40	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Volumetric Flow Meters >20 gal/minute - \$100	2009	No	\$80	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Tanks, Under 500 gal capacity, Used as measures - \$100	2009	No	\$100	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Tanks, Over 500 gal capacity, used as measures - \$200	2009	No	\$200	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Taximeters - \$50	2009	No	\$35	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Grain Moisture Meters - \$25	2009	No	\$25	GITF
	Weighing and Measuring Device Permits	531.60 - 65, F.S.	Multiple Dimension Measuring Device - \$100	2009	No	\$100	GITF

# Division of Marketing and Development Exhibits or Schedules

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

**Department:** Agriculture and Consumer Services      **Budget Period: 2010-11**  
**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 2008 - 09</b>	<b>FY 2009 - 10</b>	<b>FY 2010 - 11</b>
<u>Receipts:</u>			
Licenses - Produce Dealers	1,033,766	1,033,981	1,033,981
Licenses - Livestock Markets	1,230	1,200	1,200
Licenses - Thoroughbred Horse Sales	3,000	3,000	3,000
Fees - L&B Complaint Filing Fee	10,250	7,500	7,500
Administrative Fines	160,180	150,000	150,000
Other Refunds	1,707		
Miscellaneous	103		
<b>Total Fee Collection to Line (A) - Section III</b>	<b>1,210,235</b>	<b>1,195,681</b>	<b>1,195,681</b>

**SECTION II - FULL COSTS**

	<b>ACTUAL</b>	<b>ESTIMATED</b>	<b>REQUEST</b>
	<b>FY 2008 - 09</b>	<b>FY 2009 - 10</b>	<b>FY 2010 - 11</b>
<u>Direct Costs:</u>			
Salaries and Benefits	912,509	1,096,655	1,096,655
Other Personal Services			
Expenses	120,364	120,000	120,000
Contracted Services	10,056	20,000	20,000
Refunds	4,105	4,000	4,000
Data Processing	41,577	41,577	41,577
General Revenue S/C	22,939	95,654	95,654
Indirect Costs Charged to Trust Fund	46,371	46,371	46,371
<b>Total Full Costs to Line (B) - Section III</b>	<b>1,157,920</b>	<b>1,424,257</b>	<b>1,424,257</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 2008 - 09</b>	<b>FY 2009 - 10</b>	<b>FY 2010 - 11</b>
TOTAL SECTION I	(A)	1,210,235	1,195,681	1,195,681
TOTAL SECTION II	(B)	1,157,920	1,424,257	1,424,257
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>52,315</b>	<b>(228,576)</b>	<b>(228,576)</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 growers from serious economic harm in the event an agricultural dealer defaults on payment. The sole source of funding for this program is GIF. This program has moved from an operating deficit of \$393,989 in FY 05-06 to an operating surplus of \$52,315 in FY 08-09. Fluctuating costs, administrative fines and an aging State fleet may result in higher expenses in FY 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:** 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 processes and look for 'outside the box' ideas to cut operating costs. The program has converted its operating deficit from \$31,853 last year to an operating surplus of \$52,315 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 provide a better method of document management and afford the possibility to process applications and renewals electronically. 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. The program continues to garner support from industry groups affected by the program.

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 program has moved from an operating deficit of \$393,989 in FY 05-06 to an operating surplus of \$52,315 in 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 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.

Fees were increased 2006 as a result of a legislative review. This program has moved from an operating deficit of \$393,989 in FY 05-06 to an operating surplus of \$52,315 in FY 08-09. 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.

The program will continue to refine processes and look for 'outside the box' ideas to cut operating costs.

## 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%) 0%

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? \$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)
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: 2010-11**  
**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.)

X	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> )
	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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Aquaculture Certification Fees		79,350		68,000		68,000
Donations		23,390				
Refunds		500				
<b>Total Fee Collection to Line (A) - Section II</b>	-	103,240	-	68,000	-	68,000

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits	458,533		467,510		467,510	
Other Personal Services						
Expenses	35,254	951	34,623		34,623	
Operating Capital Outlay		12,800				
Contracted Services		2,001				
Refunds		250				
General Revenue S/C		1,707		5,440		5,440
Indirect Costs Charged to Trust Fund						
<b>Total Full Costs to Line (B) - Section III</b>	493,787	17,709	502,133	5,440	502,133	5,440

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	103,240	-	68,000	-	68,000
TOTAL SECTION II	(B)	493,787	17,709	502,133	5,440	502,133	5,440
<b>TOTAL - Surplus/Deficit</b>	(C)	(493,787)	85,531	(502,133)	62,560	(502,133)	62,560

**EXPLANATION of LINE C:**

The Division collects a statutory fee for this program. 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, staff reduction, cross-program training 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: 2010-11**  
**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 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Penalties		88				
<b>Total Fee Collection to Line (A) - Section II</b>	-	88	-	-	-	-

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
	GR	GITF	GR	GITF	GR	GITF
Salaries and Benefits	230,723	50,650	239,008	59,002	239,008	59,002
Other Personal Services						
Expenses	11,555	496	22,200		22,200	
Operating Capital Outlay						
Indirect Costs Charged to Trust Fund						
<b>Total Full Costs to Line (B) - Section III</b>	242,278	51,146	261,208	59,002	261,208	59,002

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09		ESTIMATED FY 2009 - 10		REQUEST FY 2010 - 11	
		GR	GITF	GR	GITF	GR	GITF
TOTAL SECTION I	(A)	-	88	-	-	-	-
TOTAL SECTION II	(B)	242,278	51,146	261,208	59,002	261,208	59,002
<b>TOTAL - Surplus/Deficit</b>	(C)	(242,278)	(51,058)	(261,208)	(59,002)	(261,208)	(59,002)

**EXPLANATION of LINE C:**

The Division does not collect any fees for this program due to the small number of plants inspected. Excess revenues from the Aquaculture Certification Program are used to cover the deficit.

## 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 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 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  
**Program:** Animal Disease Control  
**Fund(s):** General Revenue, General Inspection Trust Fund and Ag Emergency Eradication Trust Fund

**Budget Period: 2010-11**

**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**

Receipts:	ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	GITF	AEETF	GR	GITF	AEETF	GR	GITF	AEETF
<u>Vet Inspection Certificate-Intrastate</u>		121,430			121,430			121,430	
<u>Apply for Approval Quarantine Facility</u>		600			2,000			2,000	
<u>Apply to Conduct EIA Tests</u>									
<u>Contagious Equine Metritis Service</u>		184,800			195,767			195,767	
<u>Vet Inspection Certificate -Large Interst.</u>		19,825			22,115			22,115	
<u>Vet Inspection Certificate -Equine Interst.</u>		68,445			88,533			88,533	
<u>Vet Inspection Certificate -Small Interst.</u>		80,925			109,770			109,770	
<u>Vet Accreditation Training</u>		4,500			6,200			6,200	
<u>EIA Reactor Horse Quarantine</u>		200			733			733	
<u>Health Certificate-Avian</u>					32			32	
<u>Equine Interstate Passport Card</u>		5,480			6,932			6,932	
<u>Negative EIA Test Verification Card</u>		3,600			2,863			2,863	
<u>Equine Event Extension</u>		12,749			13,421			13,421	
<u>Garbage Feeding Permit</u>		7,900			8,367			8,367	
<u>Transport Animal Carcass Permit</u>		7,700			7,667			7,667	
<u>Marks and Brands Recording</u>		8,974			7,310			7,310	
<u>Marks and Brands Hauling</u>		9,630			9,488			9,488	
<u>Transfer from AEETF</u>			247,651		9,488	105,265		9,488	105,265
<b>Total Fee Collection to Line (A) - Section III</b>	-	536,758	247,651	-	602,628	105,265	-	602,628	105,265

**SECTION II - FULL COSTS**

	ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	GITF	AEETF	GR	GITF	AEETF	GR	GITF	AEETF
<b>Direct Costs:</b>									
Salaries and Benefits	3,690,376	237,837	247,651	2,944,179	312,453	105,265	2,944,179	312,453	105,265
Other Personal Services	2,103				61,642			61,642	
Expenses	260,366	78,087		172,800	43,200		172,800	43,200	
Operating Capital Outlay									
Transfers									
Contracted Services		121,623			28,000			28,000	
Data Processing	129,765	73,011		129,765	73,011		129,765	73,011	
General Revenue S/C		40,602			48,210			48,210	
Indirect Costs Charged to Trust Fund		16,970			16,970			16,970	
<b>Total Full Costs to Line (B) - Section III</b>	<b>4,082,610</b>	<b>568,129</b>	<b>247,651</b>	<b>3,246,744</b>	<b>583,486</b>	<b>105,265</b>	<b>3,246,744</b>	<b>583,486</b>	<b>105,265</b>

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
		GR	GITF	AEETF	GR	GITF	AEETF	GR	GITF	AEETF
TOTAL SECTION I	(A)	-	536,758	247,651	-	602,628	105,265	-	602,628	105,265
TOTAL SECTION II	(B)	4,082,610	568,129	247,651	3,246,744	583,486	105,265	3,246,744	583,486	105,265
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(4,082,610)</b>	<b>(31,371)</b>	<b>0</b>	<b>(3,246,744)</b>	<b>19,142</b>	<b>0</b>	<b>(3,246,744)</b>	<b>19,142</b>	<b>0</b>

**EXPLANATION of LINE C:**

Expenditures in this document represent expenditures of the Bureau of Animal Disease Control (BADC). Our sole regulatory program is housed in this Bureau. The decrease in revenues during FY 08-09 was mainly due to the BADC now offering the veterinary inspection certificate online for free. By statute, certificates are to be provided by the Department to the public at cost. FY 08-09 was the first full year the certificates were offered for free. The revenue decrease was covered utilizing federal cooperative agreement funding that the BADC receives annually from the United States Department of Agriculture.

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 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.

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

**Department:** Agriculture & 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 enhancing 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. 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, contagious equine metritis, 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 and international 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. 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, contagious equine metritis, 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%) 94% General Revenue; 6% Ag. Emergency Eradication TF

If the program is subsidized from other state funds, what is the source(s)? GR and AEETF

What is the current annual amount of the subsidy? \$4,082,610 GR; \$247,651 AEETF

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)
Introduction of Animals Into the State	Livestock; Marks and Brands; Stamping Beef	534	\$5; \$1,000	1975, 1991, 1993, 1997	No	\$5; \$1,000	General Inspection Trust Fund
	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	5C-4, Animal Health Regulations for Exhibition						General Inspection Trust Fund
	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	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
	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						General Inspection Trust Fund
	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						General Inspection Trust Fund
	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						General Inspection Trust Fund
	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						General Inspection Trust Fund
	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						General Inspection Trust Fund
	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	Fund Fee Deposited in (indicate General Revenue or Specific Trust Fund)
	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	

# Division of Plant Industry Exhibits or Schedules

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

**Department:** Agriculture and Consumer Services **Budget Period:** 2010-11  
**Program:** Apiary Inspection  
**Fund(s):** General Revenue, Ag Emergency 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.

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**

Receipts:	ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	AEETF	PITF	GR	AEETF	PITF	GR	AEETF	PITF
Apiary Registration			39,965			39,175			39,175
Fees - Raw Prod Insp - OT - USDA									
Special Inspections - Apiary			19,055			14,250			14,250
Misc. Other			5,554						
U.S. Grants - Other									
Transfer from DOR		894,645			863,864			863,864	
<b>Total Fee Collection to Line (A) - Section III</b>	<b>0</b>	<b>894,645</b>	<b>64,574</b>	<b>0</b>	<b>863,864</b>	<b>53,425</b>	<b>0</b>	<b>863,864</b>	<b>53,425</b>

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
	GR	AEETF	PITF	GR	AEETF	PITF	GR	AEETF	PITF
Salaries and Benefits	152,741	642,139	26,402		700,085			700,085	
Other Personal Services	1,544		67,362		19,817			19,817	
Expenses	44,421	5,387	11,963	22,700	23,962	20,000	22,700	23,962	20,000
Operating Capital Outlay			1,668						
Data Processing	10,507		10,153	10,507		10,153	10,507		10,153
Medfly		8,314							
Contracted Services	690	238,805	49		120,000			120,000	
<b>Total Full Costs to Line (B) - Section III</b>	<b>209,902</b>	<b>894,645</b>	<b>117,597</b>	<b>33,207</b>	<b>863,864</b>	<b>30,153</b>	<b>33,207</b>	<b>863,864</b>	<b>30,153</b>

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09			ESTIMATED FY 2009 - 10			REQUEST FY 2010 - 11		
		GR	AEETF	PITF	GR	AEETF	PITF	GR	AEETF	PITF
TOTAL SECTION I	(A)	0	894,645	64,574	0	863,864	53,425	0	863,864	53,425
TOTAL SECTION II	(B)	209,902	894,645	117,597	33,207	863,864	30,153	33,207	863,864	30,153
<b>TOTAL - Surplus/Deficit</b>	<b>(C)</b>	<b>(209,902)</b>	<b>0</b>	<b>(53,023)</b>	<b>(33,207)</b>	<b>0</b>	<b>23,272</b>	<b>(33,207)</b>	<b>0</b>	<b>23,272</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, longa 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.





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

**Department:** Agriculture and Consumer Services  
**Program:** Citrus Budwood Registration  
**Fund(s):** General Revenue, Citrus Inspection TF, Federal Grants TF, Ag Emergency Eradication TF, Plant Industry TF  
**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.

**Budget Period: 2010-11**

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 2008 - 09					ESTIMATED FY 2009 - 10					REQUEST FY 2010 - 11				
	GR	CITF	FGTF	AEETF	PITF	GR	CITF	FGTF	AEETF	PITF	GR	CITF	FGTF	AEETF	PITF
Citrus Budwood Fees					76,368					75,000					77,500
Sale of Fruit					54,740					30,500					27,500
Misc. Refunds															
Other Transfers			817,234	23,502				817,234					817,234		
Industry Fees - Trfr from F&V		667,968					940,141					940,141			
<b>Total Fee Collection to Line (A) - Section III</b>	<b>0</b>	<b>667,968</b>	<b>817,234</b>	<b>23,502</b>	<b>131,108</b>	<b>0</b>	<b>940,141</b>	<b>817,234</b>	<b>0</b>	<b>105,500</b>	<b>0</b>	<b>940,141</b>	<b>817,234</b>	<b>0</b>	<b>105,000</b>

**SECTION II - FULL COSTS**

Direct Costs:	ACTUAL FY 2008 - 09					ESTIMATED FY 2009 - 10					REQUEST FY 2010 - 11				
	GR	CITF	FGTF	AEETF	PITF	GR	CITF	FGTF	AEETF	PITF	GR	CITF	FGTF	AEETF	PITF
Salaries and Benefits		605,581					840,940					840,940			
Other Personal Services							1,000					1,000			
Expenses		59,628			375		79,898					79,898			
Operating Capital Outlay			835,965	23,502				817,234					817,234		
TR/DMS/HR SVCS/STW Contract							11,159					11,159			
Data Processing	13,090				4,021	13,090				4,021	13,090				4,021
Contracted Services		2,759					7,144					7,144			
Indirect Costs Charged to Trust Fund															
<b>Total Full Costs to Line (B) - Section III</b>	<b>13,090</b>	<b>667,968</b>	<b>835,965</b>	<b>23,502</b>	<b>4,396</b>	<b>13,090</b>	<b>940,141</b>	<b>817,234</b>	<b>0</b>	<b>4,021</b>	<b>13,090</b>	<b>940,141</b>	<b>817,234</b>	<b>0</b>	<b>4,021</b>

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

**SECTION III - SUMMARY**

		ACTUAL FY 2008 - 09					ESTIMATED FY 2009 - 10					REQUEST FY 2010 - 11				
		GR	CITF	FGTF	AEETF	PITF	GR	CITF	FGTF	AEETF	PITF	GR	CITF	FGTF	AEETF	PITF
TOTAL SECTION I	(A)	0	667,968	817,234	23,502	131,108	0	940,141	817,234	0	105,500	0	940,141	817,234	0	105,000
TOTAL SECTION II	(B)	13,090	667,968	835,965	23,502	4,396	13,090	940,141	817,234	0	4,021	13,090	940,141	817,234	0	4,021
<b>TOTAL - Surplus/Deficit</b>	(C)	<b>(13,090)</b>	<b>0</b>	<b>(18,731)</b>	<b>0</b>	<b>126,712</b>	<b>(13,090)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>101,479</b>	<b>(13,090)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100,979</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 08-09 surplus in the PITF goes to offset the deficit in the Apiary Inspection Program.

## 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 during the last two fiscal years with the purchase of new laboratory testing equipment. Real-time Polymerase Chain Reaction (qPCR) tests are now implemented which 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. We can now run over 30,000 laboratory tests with the implementation of qPCR. Because of the impact of citrus greening 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.



# Agriculture Management Information Center Exhibits or Schedules

Agriculture Management Information Center Schedule IV-A																
Agriculture Management Information Center																
Fiscal Year 2010/2011 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	505,614	149,949	30,445	207,140	86,498	220,513	169,866	135,153	598,372	220,797	363,633	42,395	114,951	2,845,326	
1002000	Adjustment to State Health Insurance Premium Contribution - Fiscal Year 200	610	181	37	250	104	266	205	163	721	266	438	51	139	3,431	
26A1200	Adjustment to State Health Insurance for FY 2009-10 - 10 Month Annualizatio	3,048	904	184	1,249	522	1,330	1,024	815	3,607	1,331	2,192	256	693	17,155	
	Total Salaries and Benefits	509,272	151,034	30,666	208,639	87,124	222,109	171,095	136,131	602,700	222,394	366,263	42,702	115,783	2,865,912	
OTHER PERSONAL SERVICES																
1001000	Estimated Expenditures - Operations	8,414	2,495	507	3,447	1,439	3,669	2,827	2,249	9,958	3,674	6,051	705	1,913	47,348	
	Total Other Personal Services	8,414	2,495	507	3,447	1,439	3,669	2,827	2,249	9,958	3,674	6,051	705	1,913	47,348	
EXPENSES																
1001000	Estimated Expenditures - Operations	447,452	132,700	26,943	183,312	76,548	195,146	150,326	119,606	529,539	195,398	321,803	37,518	101,728	2,518,019	
	Total Expenses	447,452	132,700	26,943	183,312	76,548	195,146	150,326	119,606	529,539	195,398	321,803	37,518	101,728	2,518,019	
OPERATING CAPITAL OUTLAY																
1001000	Estimated Expenditures - Operations	22,212	6,588	1,338	9,100	3,800	9,688	7,463	5,938	26,287	9,699	15,974	1,863	5,050	125,000	
	Total Operating Capital Outlay	22,212	6,588	1,338	9,100	3,800	9,688	7,463	5,938	26,287	9,699	15,974	1,863	5,050	125,000	
SPECIAL CATEGORY																
1001000	Estimated Expenditures - Contracted Services (100777)	139,606	41,403	8,407	57,194	23,883	60,886	46,902	37,317	165,218	60,965	100,403	11,706	31,739	785,629	
1001000	Estimated Expenditures - TR/DMS/HR SVCS/STW Contract (107040)	3,061	908	184	1,254	524	1,335	1,028	818	3,622	1,337	2,201	257	696	17,225	
2103246	Transfer Surveyors and Mappers Regulatory Program from DBPR to FDACS								(8,000)						(8,000)	
	Total Special Categories	142,667	42,311	8,591	58,448	24,407	62,221	47,930	30,135	168,840	62,302	102,604	11,963	32,435	794,854	
Total Agriculture Management Information Center		1,130,017	335,128	68,045	462,946	193,318	492,833	379,641	294,059	1,337,324	493,467	812,695	94,751	256,909	6,351,133	

**SCHEDULE IX: MAJOR AUDIT FINDINGS AND RECOMMENDATIONS**

**Budget Period: 2010 - 2011**

**Department: Agriculture and Consumer Services**

**Chief Internal Auditor: Nedra Harrington**

**Budget Entity: \_\_\_\_\_**

**Phone Number: (850) 245-1360**

(1)	(2)	(3)	(4)	(5)	(6)
REPORT NUMBER	PERIOD ENDING	UNIT/AREA	SUMMARY OF FINDINGS AND RECOMMENDATIONS	SUMMARY OF CORRECTIVE ACTION TAKEN	ISSUE CODE
IA 0809:01-08	Fiscal Year 2007-2008	Performance Measure Accuracy	For 2 of 7 performance measures selected, the reported numbers for Fiscal Year 2007-2008 are fairly stated. The accuracy of the reported number could not be determined for the remaining five measures. Recommendations: clearly define key terms in the Validity and Reliability Statement and change reporting methodology.	The divisions have agreed with the conclusions and are implementing the recommendations.	
IA 0809-09	February 2009	Attendance and Gate Admission Revenue - 2009 Florida State Fair	None	Not Applicable	
IA 0809-10	July 1, 2008 - February 28, 2009	Fraud Data Analysis - Fuel Purchases	The fraud data analysis could not be performed to the extent intended because policies and procedures were not being followed, impacting the accuracy and completeness of data recorded in the Equipment Management Information System (EMIS). However, based on the limited review of vehicles, no indicators of fraud were found in the fuel purchases. Recommendations: follow established policies and procedures, perform managerial oversight activities, explain differences of 20 gallons or more between gallons purchased from Comdata and gallons entered into EMIS and indicate corrective action(s) taken.	The divisions have agreed with the conclusions and are addressing the recommendations. All have explained the differences of 20 gallons or more and indicated corrective action that has been or will be taken to resolve the difference.	



AG 2009-083	August 2008 to October 2008	Surplus Property Information Technology Controls - Information Technology Operational Audit	Finding: The entities included in our audit either lacked adequate written procedures or performed inadequate procedures with regard to the disposal of surplus IT property. Recommendation: DACS should continue enhancing procedures to include the maintenance of logs indicating the computers for which the hard drives were erased, when erased, and by whom erased.	The Department has enhanced procedures to include the maintenance of logs indicating the computers for which the hard drives were erased, when erased, and by whom erased.	
AG 2009-141	Fiscal Year 2007-2008	Federal Awards - Plant and Animal Disease, Pest Control, and Animal Care (PADPCAC)	Finding: FDACS did not have procedures in place to obtain certifications required by OMB Circular A-87 for all salaried employees working on components of PADPCAC. Recommendation: We recommend that FDACS ensure that certifications are obtained from all employees working solely on the PADPCAC Program.	The Division of Plant Industry has implemented procedures to ensure that certifications are obtained from all employees working on programs funded by Federal awards in accordance with OMB Circular A-87. A memo was sent to all supervisors of Federal award employees on September 10, 2008, that listed all Federal award programs in the Division of Plant Industry, illustrated the required form of certification for each type of employee, and provided the timeframes in which to certify employee work hours. All certifications for the period covering July through December 2008 were received.	

Office of Policy and Budget - July 2009

# 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 Codes)				
	42010100	42010200	42010300	42010400	42110100

## 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	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	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	Y
1.4 Has security been set correctly? <b>(CSDR, CSA)</b>	Y	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	Y
2.2 Are the statewide issues generated systematically (estimated expenditures, nonrecurring expenditures, etc.) included?	Y	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	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	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	Y
--	---	---	---	---	---

### AUDITS:

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	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	Y
<b>TIP</b> Generally look for and be able to fully explain significant differences between A02 and A03.					

Action		Program or Service (Budget Entity Codes)				
		42010100	42010200	42010300	42010400	42110100
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	Y
4.2	Is the program component code and title used correct?	Y	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	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	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	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	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.					
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	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.					

Action		Program or Service (Budget Entity Codes)				
		42010100	42010200	42010300	42010400	42110100
<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	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	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	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	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	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	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	Y
7.8	Does the issue narrative include the Consensus Estimating Conference forecast, where appropriate?	Y	Y	Y	Y	Y
7.9	Does the issue narrative reference the specific county(ies) where applicable?	Y	Y	Y	Y	Y
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	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	N/A
7.12	Does the issue narrative include plans to satisfy additional space requirements when requesting additional positions?	Y	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	Y
7.14	Do the amounts reflect appropriate FSI assignments?	Y	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	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	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	N/A

Action		Program or Service (Budget Entity Codes)				
		42010100	42010200	42010300	42010400	42110100
<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	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.					
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	Y
8.2	Has a Schedule I been completed in LAS/PBS for each operating trust fund?	Y	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	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	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	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	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	Y

Action		Program or Service (Budget Entity Codes)				
		42010100	42010200	42010300	42010400	42110100
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	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	Y
8.10	Are the statutory authority references correct?	Y	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	Y
8.12	Is this an accurate representation of revenues based on the most recent Consensus Estimating Conference forecasts?	Y	Y	Y	Y	Y
8.13	If there is no Consensus Estimating Conference forecast available, do the revenue estimates appear to be reasonable?	Y	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	Y
8.15	Are anticipated grants included and based on the state fiscal year (rather than federal fiscal year)?	Y	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	Y
8.17	If applicable, are nonrecurring revenues entered into Column A04?	Y	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	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	Y
8.20	Are appropriate service charge nonoperating amounts included in Section II?	Y	Y	Y	Y	Y
8.21	Are nonoperating expenditures to other budget entities/departments cross-referenced accurately?	Y	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	Y
8.23	Are nonoperating expenditures recorded in Section II and adjustments recorded in Section III?	Y	Y	Y	Y	Y
8.24	Are prior year September operating reversions appropriately shown in column A01?	Y	Y	Y	Y	Y
8.25	Are current year September operating reversions appropriately shown in column A02?	Y	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	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	Y
8.28	Does Line I of Column A01 (Schedule I) equal Line K of the Schedule IC?	Y	Y	Y	Y	Y

Action		Program or Service (Budget Entity Codes)				
		42010100	42010200	42010300	42010400	42110100
<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	Y
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	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	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>						
<b>AUDIT:</b>						
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	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	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	Y
<b>11. SCHEDULE IV (EADR, SC4)</b>						
11.1	Are the correct Information Technology (IT) issue codes used?	Y	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	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	Y
<b>14. SCHEDULE VIIIB-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	Y
<b>15. SCHEDULE XI (LAS/PBS Web - see page 102 of the LBR Instructions for detailed instructions)</b>						

Action		Program or Service (Budget Entity Codes)				
		42010100	42010200	42010300	42010400	42110100
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	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	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	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	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	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	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	Y
16.2	Are appropriation category totals comparable to Exhibit B, where applicable?	Y	Y	Y	Y	Y
16.3	Are agency organization charts (Schedule X) provided and at the appropriate level of detail?	Y	Y	Y	Y	Y
<b>AUDITS - GENERAL INFORMATION</b>						
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.					
<b>17. CAPITAL IMPROVEMENTS PROGRAM (CIP)</b>						
17.1	Are the CIP-2, CIP-3, CIP-A and CIP-B forms included?	Y	Y	Y	Y	Y
17.2	Are the CIP-4 and CIP-5 forms submitted when applicable (see CIP Instructions)?	Y	Y	Y	Y	Y
17.3	Do all CIP forms comply with CIP Instructions where applicable (see CIP Instructions)?	Y	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	Y
17.5	Are the appropriate counties identified in the narrative?	Y	Y	Y	Y	Y



Action	Program or Service (Budget Entity Codes)				
	42010100	42010200	42010300	42010400	42110100
<b>TIP</b> 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.					

# 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 Codes)				
	42110200	42120100	42150100	42150200	42160100

## 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	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	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	Y
1.4 Has security been set correctly? <b>(CSDR, CSA)</b>	Y	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	Y
2.2 Are the statewide issues generated systematically (estimated expenditures, nonrecurring expenditures, etc.) included?	Y	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	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	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	Y
--	---	---	---	---	---

### AUDITS:

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	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	Y
<b>TIP</b> Generally look for and be able to fully explain significant differences between A02 and A03.					

Action		Program or Service (Budget Entity Codes)				
		42110200	42120100	42150100	42150200	42160100
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	Y
4.2	Is the program component code and title used correct?	Y	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	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	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	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	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.					
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	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.					

Action		Program or Service (Budget Entity Codes)				
		42110200	42120100	42150100	42150200	42160100
<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	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	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	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	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	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	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	Y
7.8	Does the issue narrative include the Consensus Estimating Conference forecast, where appropriate?	Y	Y	Y	Y	Y
7.9	Does the issue narrative reference the specific county(ies) where applicable?	Y	Y	Y	Y	Y
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	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	N/A
7.12	Does the issue narrative include plans to satisfy additional space requirements when requesting additional positions?	Y	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	Y
7.14	Do the amounts reflect appropriate FSI assignments?	Y	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	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	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	N/A

Action		Program or Service (Budget Entity Codes)				
		42110200	42120100	42150100	42150200	42160100
<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	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.					
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	Y
8.2	Has a Schedule I been completed in LAS/PBS for each operating trust fund?	Y	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	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	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	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	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	Y

Action		Program or Service (Budget Entity Codes)				
		42110200	42120100	42150100	42150200	42160100
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	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	Y
8.10	Are the statutory authority references correct?	Y	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	Y
8.12	Is this an accurate representation of revenues based on the most recent Consensus Estimating Conference forecasts?	Y	Y	Y	Y	Y
8.13	If there is no Consensus Estimating Conference forecast available, do the revenue estimates appear to be reasonable?	Y	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	Y
8.15	Are anticipated grants included and based on the state fiscal year (rather than federal fiscal year)?	Y	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	Y
8.17	If applicable, are nonrecurring revenues entered into Column A04?	Y	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	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	Y
8.20	Are appropriate service charge nonoperating amounts included in Section II?	Y	Y	Y	Y	Y
8.21	Are nonoperating expenditures to other budget entities/departments cross-referenced accurately?	Y	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	Y
8.23	Are nonoperating expenditures recorded in Section II and adjustments recorded in Section III?	Y	Y	Y	Y	Y
8.24	Are prior year September operating reversions appropriately shown in column A01?	Y	Y	Y	Y	Y
8.25	Are current year September operating reversions appropriately shown in column A02?	Y	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	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	Y
8.28	Does Line I of Column A01 (Schedule I) equal Line K of the Schedule IC?	Y	Y	Y	Y	Y

Action		Program or Service (Budget Entity Codes)				
		42110200	42120100	42150100	42150200	42160100
<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	Y
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	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	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>						
<b>AUDIT:</b>						
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	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	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	Y
<b>11. SCHEDULE IV (EADR, SC4)</b>						
11.1	Are the correct Information Technology (IT) issue codes used?	Y	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	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	Y
<b>14. SCHEDULE VIIIB-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	Y
<b>15. SCHEDULE XI (LAS/PBS Web - see page 102 of the LBR Instructions for detailed instructions)</b>						

Action		Program or Service (Budget Entity Codes)				
		42110200	42120100	42150100	42150200	42160100
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	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	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	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	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	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	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	Y
16.2	Are appropriation category totals comparable to Exhibit B, where applicable?	Y	Y	Y	Y	Y
16.3	Are agency organization charts (Schedule X) provided and at the appropriate level of detail?	Y	Y	Y	Y	Y
<b>AUDITS - GENERAL INFORMATION</b>						
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.					
<b>17. CAPITAL IMPROVEMENTS PROGRAM (CIP)</b>						
17.1	Are the CIP-2, CIP-3, CIP-A and CIP-B forms included?	Y	Y	Y	Y	Y
17.2	Are the CIP-4 and CIP-5 forms submitted when applicable (see CIP Instructions)?	Y	Y	Y	Y	Y
17.3	Do all CIP forms comply with CIP Instructions where applicable (see CIP Instructions)?	Y	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	Y
17.5	Are the appropriate counties identified in the narrative?	Y	Y	Y	Y	Y



Action	Program or Service (Budget Entity Codes)				
	42110200	42120100	42150100	42150200	42160100
<b>TIP</b> 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.					

# 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 Codes)				
	42160200	42160300	42170100	42170200	42170300

## 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	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	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	Y
1.4 Has security been set correctly? <b>(CSDR, CSA)</b>	Y	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	Y
2.2 Are the statewide issues generated systematically (estimated expenditures, nonrecurring expenditures, etc.) included?	Y	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	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	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	Y
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### AUDITS:

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	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	Y
<b>TIP</b> Generally look for and be able to fully explain significant differences between A02 and A03.					

Action		Program or Service (Budget Entity Codes)				
		42160200	42160300	42170100	42170200	42170300
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	Y
4.2	Is the program component code and title used correct?	Y	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	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	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	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	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.					
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	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.					

Action		Program or Service (Budget Entity Codes)				
		42160200	42160300	42170100	42170200	42170300
<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	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	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	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	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	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	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	Y
7.8	Does the issue narrative include the Consensus Estimating Conference forecast, where appropriate?	Y	Y	Y	Y	Y
7.9	Does the issue narrative reference the specific county(ies) where applicable?	Y	Y	Y	Y	Y
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	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	N/A
7.12	Does the issue narrative include plans to satisfy additional space requirements when requesting additional positions?	Y	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	Y
7.14	Do the amounts reflect appropriate FSI assignments?	Y	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	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	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	N/A

Action		Program or Service (Budget Entity Codes)				
		42160200	42160300	42170100	42170200	42170300
<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	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.					
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	Y
8.2	Has a Schedule I been completed in LAS/PBS for each operating trust fund?	Y	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	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	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	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	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	Y

Action		Program or Service (Budget Entity Codes)				
		42160200	42160300	42170100	42170200	42170300
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	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	Y
8.10	Are the statutory authority references correct?	Y	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	Y
8.12	Is this an accurate representation of revenues based on the most recent Consensus Estimating Conference forecasts?	Y	Y	Y	Y	Y
8.13	If there is no Consensus Estimating Conference forecast available, do the revenue estimates appear to be reasonable?	Y	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	Y
8.15	Are anticipated grants included and based on the state fiscal year (rather than federal fiscal year)?	Y	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	Y
8.17	If applicable, are nonrecurring revenues entered into Column A04?	Y	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	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	Y
8.20	Are appropriate service charge nonoperating amounts included in Section II?	Y	Y	Y	Y	Y
8.21	Are nonoperating expenditures to other budget entities/departments cross-referenced accurately?	Y	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	Y
8.23	Are nonoperating expenditures recorded in Section II and adjustments recorded in Section III?	Y	Y	Y	Y	Y
8.24	Are prior year September operating reversions appropriately shown in column A01?	Y	Y	Y	Y	Y
8.25	Are current year September operating reversions appropriately shown in column A02?	Y	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	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	Y
8.28	Does Line I of Column A01 (Schedule I) equal Line K of the Schedule IC?	Y	Y	Y	Y	Y

Action		Program or Service (Budget Entity Codes)				
		42160200	42160300	42170100	42170200	42170300
<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	Y
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	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	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>						
<b>AUDIT:</b>						
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	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	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	Y
<b>11. SCHEDULE IV (EADR, SC4)</b>						
11.1	Are the correct Information Technology (IT) issue codes used?	Y	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	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	Y
<b>14. SCHEDULE VIIIB-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	Y
<b>15. SCHEDULE XI (LAS/PBS Web - see page 102 of the LBR Instructions for detailed instructions)</b>						

Action		Program or Service (Budget Entity Codes)				
		42160200	42160300	42170100	42170200	42170300
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	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	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	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	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	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	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	Y
16.2	Are appropriation category totals comparable to Exhibit B, where applicable?	Y	Y	Y	Y	Y
16.3	Are agency organization charts (Schedule X) provided and at the appropriate level of detail?	Y	Y	Y	Y	Y
<b>AUDITS - GENERAL INFORMATION</b>						
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.					
<b>17. CAPITAL IMPROVEMENTS PROGRAM (CIP)</b>						
17.1	Are the CIP-2, CIP-3, CIP-A and CIP-B forms included?	Y	Y	Y	Y	Y
17.2	Are the CIP-4 and CIP-5 forms submitted when applicable (see CIP Instructions)?	Y	Y	Y	Y	Y
17.3	Do all CIP forms comply with CIP Instructions where applicable (see CIP Instructions)?	Y	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	Y
17.5	Are the appropriate counties identified in the narrative?	Y	Y	Y	Y	Y



Action	Program or Service (Budget Entity Codes)				
	42160200	42160300	42170100	42170200	42170300
<b>TIP</b> 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.					

# 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 Codes)				
	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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### AUDITS:

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		
<b>TIP</b> Generally look for and be able to fully explain significant differences between A02 and A03.					

Action		Program or Service (Budget Entity Codes)				
		42170400	42170500	42170600		
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.					
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.					

Action	Program or Service (Budget Entity Codes)			
	42170400	42170500	42170600	

7. EXHIBIT D-3A (EADR, ED3A)					
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	
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	

Action		Program or Service (Budget Entity Codes)				
		42170400	42170500	42170600		
<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.					
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		

Action		Program or Service (Budget Entity Codes)				
		42170400	42170500	42170600		
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		
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		

Action		Program or Service (Budget Entity Codes)				
		42170400	42170500	42170600		
<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		
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>						
<b>AUDIT:</b>						
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		
<b>14. SCHEDULE VIIIB-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>						

Action		Program or Service (Budget Entity Codes)				
		42170400	42170500	42170600		
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		
<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		
<b>AUDITS - GENERAL INFORMATION</b>						
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.					
<b>17. CAPITAL IMPROVEMENTS PROGRAM (CIP)</b>						
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		



Action		Program or Service (Budget Entity Codes)			
		42170400	42170500	42170600	
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.				