

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB ENRC 08-15 Agricultural Emergency Eradication Trust Fund  
**SPONSOR(S):** Environment & Natural Resources Council  
**TIED BILLS:** **IDEN./SIM. BILLS:**

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Environment & Natural Resources Council		Smith	Dixon / Hamby
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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**SUMMARY ANALYSIS**

This bill expands the authorized uses of funds in the Agricultural Emergency Eradication Trust Fund within the Department of Agriculture and Consumer Services. The bill provides that the money in the fund may be made available for the promotion, advancement and protection of agriculture in this state, including maintaining or increasing market share, the suppression or eradication of wildfire, animal or plant disease and insect infestation.

The effective date of the bill is July 1, 2008.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

#### B. EFFECT OF PROPOSED CHANGES:

##### *Present Situation*

Section 570.191, F.S., creates the Agricultural Emergency Eradication Trust Fund within the Department of Agriculture and Consumer Services (department). The trust fund receives 0.65 percent of the proceeds levied on motor fuel tax as authorized in s. 206.41(1)(g), F.S. The trust fund currently serves as a repository of revenues to support agriculture emergencies including the Citrus Health Response Program, and the Sterile Medfly Release Program. Revenues in the trust fund may be made available upon certification by the Commissioner of Agriculture that an agriculture emergency exists which threatens the horticultural, aquacultural, or other agricultural interests in the state. The Commissioner must notify the Governor, the President of the Senate, and the Speaker of the House of Representatives when an agricultural emergency exists and funds from the Agricultural Emergency Eradication Trust Fund will be used. The Office of Agricultural Emergency Preparedness (office) is also funded from the Agricultural Emergency Eradication Trust Fund. The office provides the department with professional expertise and leadership in statewide homeland security issues involving agricultural and food systems. Estimated revenues appropriated from this fund in FY 2007-08 are \$10 million.

##### *Effect of Proposed Changes*

This bill provides that funds may be made available for the promotion, advancement and protection of agriculture in this state, including maintaining or increasing market share, the suppression or eradication of wildfire, animal or plant disease and insect infestation. The bill removes the provision that the Commissioner must certify that an agricultural emergency exists in order to have funds appropriated from the Agricultural Emergency Eradication Trust Fund. The bill removes the definition of an "agricultural emergency" which is an animal or plant disease, insect infestation, or plant or pest endangering or threatening the horticultural, aquacultural, or other agricultural interest in this state.

This bill repeals the required notice to be given to certain persons before funds in this trust are used.

#### C. SECTION DIRECTORY:

Section 1: amends s. 570.191, F.S., to provide that funds may be made available for the promotion, advancement, and protection of agriculture in this state, including maintaining or increasing market share, the suppression or eradication of wildfire, animal or plant disease and insect infestation.

Section 2: repeals s. 570.1911, F.S., which requires notice to be given to certain persons before funds in this trust are used.

Section 3: provides that this act shall take effect July 1, 2008.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

None.

2. Expenditures:  
See Fiscal Comments.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:  
None.
2. Expenditures:  
None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

The public will benefit from the department's ability to quickly respond to agricultural emergencies.

**D. FISCAL COMMENTS:**

This bill provides that the money in the Agricultural Emergency Eradication Trust Fund may be made available for the promotion, advancement and protection of agriculture in this state, including maintaining or increasing market share, the suppression or eradication of wildfire, animal or plant disease and insect infestation.

### **III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:  
None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**D. STATEMENT OF THE SPONSOR**

N/A

### **IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES**

N/A