

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: March 27, 1998 Revised: 4/6/98 _____

Subject: Agriculture Emergency Eradication Trust Fund

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Akhavein</u>	<u>Poole</u>	<u>AG</u>	<u>Favorable</u>
2.	<u>Cooper</u>	<u>Yeatman</u>	<u>CA</u>	<u>Favorable</u>
3.	<u>Keating</u>	<u>Smith</u>	<u>WM</u>	<u>Fav/1 amendment</u>
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill creates the Agricultural Emergency Eradication Trust Fund through the office of the Commissioner of the Department of Agriculture and Consumer Services. When the commissioner certifies that an agricultural emergency exists and that funds specifically appropriated for the emergency's purpose are exhausted or insufficient to eliminate the emergency, funds would be provided from the Agricultural Emergency Eradication Trust Fund.

This bill creates section 570.191, Florida Statutes.

II. Present Situation:

When funds specifically appropriated for an agricultural emergency are exhausted or insufficient, the Department of Agriculture and Consumer Services has no reserved funds available to eliminate the emergency and must request funds from the state's Working Capital Trust Fund (Rainy Day Fund). The department's resources were especially hard hit in 1997 when an outbreak of citrus canker was detected in May, and then, later that same month, Mediterranean fruit flies were discovered in Hillsborough County. Currently at risk is the availability of federal funds for the state-federal cooperative brucellosis eradication program. The federal share will end in September 1998, but the program will continue to need funding in order to keep Florida brucellosis free. Dry conditions are likely to bring on emergency wildfires which would necessitate immediate funding. Other possible emergencies the department would need to address are Brown Citrus Aphids, Anthracnose Leatherleaf Ferns, Tropical Soda Apple, Mediterranean Fruit Flies, Oriental Fruit Flies, Grasshopper Infestation, Southern Pine Beetles, and Africanized Bees.

III. Effect of Proposed Changes:

Section 1. Creates s. 570.191, F.S., to create the Agricultural Emergency Eradication Trust Fund. Defines “agricultural emergency” to include but not be limited to an unanticipated disease, insect infestation, emergency wildfire situation, insufficiency of federal funds to carry out the state-federal cooperative brucellosis eradication program, or natural disasters that threaten plants, livestock, or forest and wild lands in the state.

Section 2. Provides an effective date of July 1, 1998.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

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

C. Government Sector Impact:

The availability of funds for emergencies will delay or eliminate the department’s need to request money from the state’s Working Capital Trust Fund (Rainy Day Fund) in the event of an agricultural emergency. In cases where the Agriculture Emergency Eradication Trust Fund is sufficient to cover the full cost of the eradication effort, no other funding source would be necessary. However, in a situation in which the eradication effort costs more than the amount of funds in the trust fund, any cost overruns would have to be acquired from

another source such as the Working Capital Trust Fund. An Agriculture Emergency Eradication Trust Fund would provide for expeditious funding of eradication efforts.

As required by s. 19(f), Art. III, State Constitution, a trust fund may only be created by a separate bill with a favorable three-fifths vote of the membership of each house of the Legislature.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Separate legislation specifying a funding source for this trust fund is contained in CS/SB 1088.

VIII. Amendments:

#1 by Ways and Means:

Redefines the term “agricultural emergency” to mean animal or plant disease, insect infestation, or plant or pest endangering or threatening the horticultural, aquacultural, and agricultural interest in this state.