

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 2276

SPONSOR: Senate Agriculture and Consumer Services Committee and Senator Lawson

SUBJECT: Agriculture Education and Promotion Facilities

DATE: March 8, 2002

REVISED: 03/12/02

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Weidenbenner</u>	<u>Poole</u>	<u>AG</u>	<u>Favorable/CS</u>
2.	<u>Cooper</u>	<u>Yeatman</u>	<u>CA</u>	<u>Fav/1 amendment</u>
3.	<u>                    </u>	<u>                    </u>	<u>AGG</u>	<u>                    </u>
4.	<u>                    </u>	<u>                    </u>	<u>AP</u>	<u>                    </u>
5.	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
6.	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

## I. Summary:

This CS designates the Department of Agriculture and Consumer Services (DACS) as the state agency responsible for developing rules and processing applications from local government units for the funding of agriculture education and promotion facilities. It defines an agriculture education and promotion facility and sets forth criteria that must be met to qualify for funding.

The CS establishes guidelines which DACS is to follow in reviewing and certifying fund requests. It sets forth criteria that is to be used to competitively evaluate applications if more than three are received. It also places restrictions on how funds can and cannot be used and specifies that all funding is subject to the amount provided by the Legislature in the General Appropriations Act for the program. October 1 is the annual cutoff date for submitting applications.

This bill creates section 288.1175 of the Florida Statutes.

## II. Present Situation:

Part I, Chapter 288, Florida Statutes contains general provisions regarding programs concerning economic development activities. Some of these programs set forth definitions, procedures, and requirements that must be met before any funding is provided for a specific project.

DACS, through its Division of Marketing and Development (division) receives all community budget requests for entry into the department's budget. Each request is evaluated against established minimum project criteria and then processed for approval and inclusion in the budget. According to the division, renovation of a facility or completion of a project is considered but funding is not provided for new construction. When a local project is funded by the Legislature, the division administers the disbursement of funds for these contracts including

verification of the grantee's compliance with the various provisions of the contract. The division inspects each of the grantee's projects for visual verification of compliance with the contract's scope of work.

A unit of local government is not able to be certified to obtain funding to construct a new "agriculture promotion facility" under present circumstances.

### **III. Effect of Proposed Changes:**

**Section 1.** Creates section 288.1175, F.S., as follows:

Subsection (1) designates DACS as the state agency responsible for screening applications and certifying applicants for state funding as an agriculture education and promotion facility.

Subsection (2) directs DACS to develop rules for receiving and processing applications.

Subsection (3) defines "agriculture education and promotion facility" as an exhibition hall, arena, civic center, exposition center, or other capital project or facility which can be used for exhibitions, demonstrations, trade shows, classrooms, civic events, and other purposes that promote agriculture, horticulture, livestock, equestrian, and other resources of the state and educate the residents as to these resources.

Subsection (4) requires DACS to certify a facility as an agriculture education and promotion facility if the department determines that:

- The applicant is a unit of local government as defined in s. 218.369, F.S., or a fair association as defined in s. 616.001(9), F.S., which is responsible for the planning, design, permitting, construction, renovation, management, and operation of the agriculture education and promotion facility or holds title to the property on which such facility is to be developed and located;
- The applicant has projections, verified by DACS, which demonstrate that the agriculture education and promotion facility will serve more than 25,000 visitors annually;
- The municipality or county has certified by resolution after a public hearing that the proposed agriculture education and promotion facility serves a public purpose; and
- The applicant has demonstrated that it has provided, is capable of providing, or has financial or other commitments to provide more than 40 percent of the costs incurred or related to the planning, design, permitting, construction, or renovation of the facility; The applicant may include the value of the land and any improvements in determining its contribution to the development of the facility.

Subsection (5) requires DACS to competitively evaluate applications for funding. If more than three applications are received, the applications must be ranked based on criteria developed by DACS, with priority given in descending order to the following items:

- Intended use, with priority given to construction of a new facility;
- The amount of local match, with priority given to the largest percentage of local matching funds;

- The location of the facility in a brownfield site, a rural enterprise zone, an agriculturally depressed area, or a redevelopment area, or a county that has lost its agricultural land to environmental restoration projects;
- The net increase of total project space, with the priority given to the largest percentage increase of total exhibition, arena, or civic center space;
- The historic record of the applicant in promoting agriculture and educating the public concerning agriculture, including, without limitation, awards, premiums, scholarships, auctions, and other such activities;
- The highest projection on paid attendance attracted by the agriculture education and promotion facility and the proposed economic impact on the local community; and
- The location of the facility with respect to an Institute of Food and Agricultural Services (IFAS) facility, with priority given to facilities closer in proximity to an IFAS facility.

Subsection (6) prohibits the funds from being used to develop or subsidize private facilities, unless owned by a fair association.

Subsection (7) mandates that the public purposes for which funds can be used is restricted to planning, designing, permitting, constructing, or renovating of an agriculture education and promotion facility or to pay for bonds to finance such uses.

Subsection (8) requires that applications be submitted by October 1<sup>st</sup> of each year. DACS cannot recommend funding for less than the amount requested and all funding is subject to the amount provided by the Legislature in the General Appropriations Act.

**Section 2.** This act shall take effect upon becoming a law.

#### **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:**

None.

**C. Government Sector Impact:**

The bill does not provide a funding source.

DACS estimates that two positions would be needed to perform its duties at a cost of \$111,055 for FY 2002-03, \$108,157 for FY 2003-04, and \$110,631 for FY 2004-05.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

#1 by Comprehensive Planning Local and Military Affairs:

Technical Amendment, replacing the word services with sciences in a reference to the Institute of Food and Agricultural Sciences.

---

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

---