



Regardless, the Florida Statutes authorize numerous citizen support organizations, as well as direct support organizations. Typically, the primary distinction between the two is that the statutes provide more agency responsibility for the formation and control of direct-support organizations (DSOs) than they require of citizen support organizations (CSOs).

Presently, numerous DSOs exist within the Department of Agriculture & Consumer Services (department). Section 570.902(2), F.S., defines “direct-support organization” for the department to mean

. . . an organization which is a Florida corporation not for profit incorporated under the provisions of chapter 617 and approved by the department to operate for the benefit of a museum or a specific departmental program.

Section 570.903, F.S., regulates the creation, use, powers, and duties of direct-support organizations. Pursuant to the section, the department is required to enter into a memorandum or letter of agreement with the direct-support organization. The agreement must specify that the department must approve the powers and duties of the direct-support organization, and the rules with which it must comply. The section also permits the department to permit the direct support organization to use department facilities so long as it would be at times or places that would not interfere with the department’s functions. The department is not authorized to permit use of its facilities to any direct-support organization which does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin. Annual financial audits of the department’s DSOs are required by the section, as well.

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

The bill provides that this act may be cited as the “Gertrude Maxwell Save a Pet Act.”

The bill creates the Gertrude Maxwell Save a Pet Direct-Support Organization (DSO) within the Department of Agriculture and Consumer Services. The DSO will be governed by ss. 570.902 and 570.903, F.S., which govern direct-support organizations of the department, as well as by s. 570.97, which is created in the bill.

This DSO is created for the purposes of providing grants to animal shelters for spaying and neutering, for sheltering and providing services during times of emergencies, and for developing and disseminating educational materials concerning the care of pets. The DSO will not participate, endorse or give financial assistance for political activities on the national, state or local level.

The DSO will be governed by a board of directors made up of eight members. This will include the Commissioner of Agriculture or his or her designee. The Commissioner of Agriculture will choose one member from each of the following organizations who shall be appointed to 4-year terms:

- (a) The Florida Veterinary Medical Association;
- (b) The Cat Fancier Association;
- (c) The Florida Association of Kennel Clubs;
- (d) A human society organization;

- (e) The Florida Animal Control Association;
- (f) The National Rifle Association;
- (g) One citizen member not otherwise associated with any of the named organizations.

The Commissioner of Agriculture may appoint up to three nonvoting honorary members. Nominees must be individuals, companies or organizations that have shown a commitment to the wellbeing of animals. Gertrude Maxwell, or her designee, shall be appointed as the first honorary member of the DSO. Honorary board members are appointed to 1-year terms and can be appointed a maximum of two consecutive terms.

**Section 3.** Provides that this act shall take effect upon becoming law.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

According to the department, the bill will require one FTE:

Expenditures	(FY 07-08) 1 FTE	(FY 08-09) 1 FTE	(FY 09-10) 1 FTE
Total Recurring	\$20,734	\$61,642	\$61,642
Total Non-Recurring	\$4,388		
Total Recurring/ Non-Recurring	\$25,122	\$61,642	\$61,642

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Governmental Operations on April 9, 2008:**

The Committee Substitute clarifies that appointments to the board of directors are made by the Commissioner of Agriculture, not a designee of the commissioner.

**CS by Agriculture on March 19, 2008:**

The Committee Substitute differs from the bill in that the Committee Substitute names the organizations that will have representatives on the direct-support organization's board of directors, declares that the direct-support organization will not play a political role and creates rules for appointing honorary members to the board of directors.

- B. **Amendments:**

None.