

By the Committee on Natural Resources and Senator McKay

312-1988-98

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A bill to be entitled
An act relating to red tide research and mitigation; establishing a Harmful-Algal-Bloom Task Force; providing for task force membership and duties; providing legislative intent; providing program goals; providing criteria for procurement of contractual services; providing an appropriation; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. (1) There is established a Harmful-Algal-Bloom Task Force for the purpose of determining research, monitoring, control, and mitigation strategies for red tide and other harmful algal blooms in Florida waters. The Secretary of Environmental Protection shall appoint to the task force scientists, engineers, economists, members of citizen groups, and members of government. The task force shall determine research and monitoring priorities and control and mitigation strategies and make recommendations to the Department of Environmental Protection by October 1, 1998, for using funds as provided in this act.

(2) The Harmful-Algal-Bloom Task Force shall:

(a) Review the status and adequacy of information for monitoring physical, chemical, biological, economic, and public health factors affecting harmful algal blooms in Florida;

(b) Develop research and monitoring priorities for harmful algal blooms in Florida, including detection, prediction, mitigation, and control;

1 (c) Develop recommendations that can be implemented by
2 state and local governments to develop a response plan and to
3 predict, mitigate, and control the effects of harmful algal
4 blooms; and

5 (d) Make recommendations to the department by October
6 1, 1998, for research, detection, monitoring, prediction,
7 mitigation, and control of harmful algal blooms in Florida.

8 (3) After the completion of the tasks specified in
9 subsection (2), the Harmful-Algal-Bloom Task Force may be
10 continued at the pleasure of the secretary.

11 Section 2. (1)(a) The Department of Environmental
12 Protection shall implement a program designed to increase the
13 knowledge of factors that control harmful algal blooms,
14 including red tide, and to gain knowledge to be used for the
15 early detection of factors precipitating harmful algal blooms,
16 for accurate prediction of the extent and seriousness of
17 harmful algal blooms, and for undertaking successful efforts
18 to control and mitigate the effects of harmful algal blooms.

19 (b) The Legislature intends that this program enhance
20 and address areas that are not adequately covered in the
21 cooperative federal-state program known as Ecology and
22 Oceanography of Harmful Algal Blooms (ECOHAB-Florida), which
23 includes the University of South Florida, Mote Marine
24 Laboratory, and the Department of Environmental Protection.

25 (c) The goal of this program is to enable resource
26 managers to assess the potential for public health damage and
27 economic damage from a given bloom and to undertake control
28 and mitigation efforts through the development and application
29 of an integrated detection and prediction network for
30 monitoring and responding to the development and movement of
31 harmful algal blooms in Florida waters.

1 (2) A financial disbursement program is created within
2 the Department of Environmental Protection to implement the
3 provisions of this act. Under the program, the department
4 shall provide funding and technical assistance to government
5 agencies, research universities, coastal local governments,
6 and organizations with scientific and technical expertise
7 including, but not limited to the Mote Marine Laboratory, the
8 Harbor Branch Oceanographic Institute, and the University of
9 Miami, for the purposes of harmful-algal-bloom research,
10 economic impact study, monitoring, detection, control, and
11 mitigation. The program may be funded from state, federal, and
12 private contributions.

13 (3) The department shall expend funds based on the
14 priorities established by the task force and as described in
15 section 3. Contractual services procured under this section
16 are not subject to the provisions of section 287.057, Florida
17 Statutes. Contracts shall be awarded based on the following
18 criteria:

19 (a) Priorities established by the Harmful-Algal-Bloom
20 Task Force;

21 (b) Availability of state, federal, and other funding
22 to accomplish the work;

23 (c) The commitment of the government agency or
24 authorized nonprofit organization to provide funds or other
25 support for the activity;

26 (d) The ability of the entity to conduct the work
27 using established scientific protocol either independently or
28 in collaboration with research or governmental entities.

29 Section 3. There is appropriated from the General
30 Revenue Fund to the Department of Environmental Protection for
31 fiscal year 1998-1999 the additional sum of \$3 million to

1 carry out the purposes of this act. From these funds, the sum
2 of \$1.5 million shall be provided to the ECOHAB-Florida
3 partnership to fund the unmet needs of the ECOHAB-Florida
4 Program, half of which shall be provided to the Mote Marine
5 Laboratory for these purposes. Up to \$50,000 shall be used by
6 the department to support the travel and document production
7 costs of the Harmful-Algal-Bloom Task Force. The remaining
8 funds may be used for contracts as provided in section 2,
9 which may include enhancement of remote sensing capabilities
10 for harmful algal blooms in the State of Florida and a study
11 of the economic impact of typical financial losses associated
12 with a red tide bloom in Florida using the blooms that
13 occurred in 1995-1996 as a model.

14 Section 4. No rules shall be required to implement
15 this act.

16 Section 5. This act shall take effect July 1, 1998.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 2272

The committee substitute establishes a Harmful-Algal-Bloom Task Force. Requires the task force to determine research and monitoring priorities and control and mitigation strategies for harmful algal blooms and make recommendations to the Department of Environmental Protection for using funds in this bill by October 1, 1998. Also, requires the department to provide funding and technical assistance to government agencies, research universities, coastal local governments and organizations with scientific and technical expertise including but not limited to Mote Marine Laboratory, Harbor Branch Oceanographic Institute, and the University of Miami for research purposes. Provides criteria for the procurement of contractual services under the program.

The committee substitute requires that \$1.5 million of the \$3 million appropriation from the General Revenue Fund to the department be provided to the ECOHAB-Florida partnership, half of which shall go to Mote Marine Laboratory to fund the unmet needs of the ECOHAB-Florida program. Stipulates that up to \$50,000 shall be used by the department to support the task force's travel and document production costs. Provides that remaining funds may be used for contracts authorized under section 2 of the bill, which may include enhancement of remote sensing capabilities for harmful algal blooms and an economic impact study of the financial losses associated with red tide blooms in Florida using the 1995-1996 blooms as a model.