

CHAMBER ACTION

1 The Committee on Finance & Tax recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to animal welfare protection programs;
7 creating s. 570.93, F.S.; creating Florida Animal Friends,
8 Inc., as a direct-support organization of the Department
9 of Agriculture and Consumer Services; providing for
10 organization and purpose of the corporation; providing for
11 application of specified open records and open meetings
12 provisions; requiring an annual audit; providing for
13 maintenance and use of funds of the corporation; providing
14 for the corporation to distribute funds received for sale
15 of the Animal Friend license plate and other funds;
16 providing for a grant solicitation and award process;
17 providing criteria for distribution of funds; providing
18 for a board of directors of the corporation; providing for
19 membership and meetings of the board; authorizing the
20 department to provide use of its property and facilities;
21 providing for solicitation of donations; providing for
22 retention of funds on dissolution of the corporation;
23 amending ss. 320.08056 and 320.08058, F.S.; creating the

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24 Animal Friend license plate; providing for the
25 distribution of annual use fees received from the sale of
26 such plates; providing an effective date.

27
28 WHEREAS, 2,000 dogs and 3,000 cats are born every hour in
29 the United States, and

30 WHEREAS, one unspayed female dog, her mate, and their
31 offspring can produce 67,000 dogs in only 6 years, and

32 WHEREAS, one unspayed female cat, her mate, and their
33 offspring can produce 370,092 cats in just 7 years, and

34 WHEREAS, an estimated 800,000 homeless cats and dogs were
35 euthanized in Florida in the year 2002, NOW, THEREFORE,

36
37 Be It Enacted by the Legislature of the State of Florida:

38
39 Section 1. Section 570.93, Florida Statutes, is created to
40 read:

41 570.93 Florida Animal Friends, Inc.; direct-support
42 organization.--

43 (1) Florida Animals Friends, Inc., is a not-for-profit
44 corporation incorporated under chapter 617 and is organized and
45 operated to conduct programs and activities; initiate
46 developmental projects; raise funds; request and receive grants,
47 gifts, and bequests of moneys; acquire, receive, hold, invest,
48 and administer, in its own name, securities, funds, objects of
49 value, or other property, real or personal; and make
50 expenditures to or for the direct or indirect benefit of the

51 state and for spay and neuter programs and other emergency
 52 animal welfare protection programs in this state.

53 (2) Florida Animal Friends, Inc., is a direct-support
 54 organization of the department that is created to accomplish the
 55 purposes and objectives of this section. The activities of the
 56 corporation must be consistent with the best interests of the
 57 state.

58 (3) The corporation:

59 (a) Is subject to the requirements of s. 24, Art. I of the
 60 State Constitution, chapter 119, and s. 286.011.

61 (b) Has a fiscal year of July 1 to June 30.

62 (c) Must obtain an annual financial audit, which shall be
 63 submitted to the Commissioner of Agriculture for review and
 64 approval.

65 (d) Shall develop and administer a grant solicitation and
 66 award process for distribution of funds received for the sale of
 67 the Animal Friend license plate pursuant to the provisions of s.
 68 320.08058. Funding shall only be granted and used for those
 69 proposals that are in compliance with federal, state, and local
 70 laws and ordinances.

71 (e) Shall maintain all moneys that it receives in a bank
 72 account outside of the State Treasury and shall only use such
 73 funds in a manner consistent with the purposes and goals
 74 provided in this section. Funds shall be used only for the
 75 following purposes:

76 1. Spay and neuter programs provided by not-for-profit
 77 organizations or governmental agencies in this state that deal
 78 with spay or neuter programs.

79 | 2. Other emergency animal welfare protection programs or
 80 | projects, provided that funding for the program or project is
 81 | approved by unanimous vote of the board of directors of the
 82 | corporation.

83 | (4)(a) The board of directors of the corporation shall
 84 | consist of five members as follows:

85 | 1. A representative of the Humane Society of the United
 86 | States.

87 | 2. A representative of the Florida Veterinary Medical
 88 | Association.

89 | 3. A representative of the Florida Animal Control
 90 | Association.

91 | 4. One member at large who shall be appointed by the
 92 | members of the council and shall serve for 2 years. This member
 93 | shall represent a not-for-profit organization not directly
 94 | affiliated with any other organization represented on the board
 95 | of directors. The not-for-profit organization this member
 96 | represents shall not apply for a grant during the 2 years he or
 97 | she serves on the board.

98 | 5. One member at large who shall be appointed by the
 99 | Commissioner of Agriculture.

100 | (b) Members of the board, unless otherwise specified in
 101 | this section, shall serve a term of 4 years or until their
 102 | successors are duly qualified and appointed. Members may serve
 103 | consecutive terms.

104 | (c) The board shall meet at least biannually.

105 | (5)(a) The department may permit, without charge, the
 106 | appropriate use of property and facilities of the state by the

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107 direct-support organization subject to this section. Such use
 108 must be directly in keeping with the approved purposes of the
 109 direct-support organization.

110 (b) The Commissioner of Agriculture may designate
 111 employees of the department to solicit donations from public or
 112 private sources to fund the authorized purposes of the direct-
 113 support organization.

114 (6) Upon the dissolution of the corporation, all
 115 properties of the corporation shall revert to the state.

116 Section 2. Paragraph (ss) is added to subsection (4) of
 117 section 320.08056, Florida Statutes, to read:

118 320.08056 Specialty license plates.--

119 (4) The following license plate annual use fees shall be
 120 collected for the appropriate specialty license plates:

121 (ss) Animal Friend license plate, \$25.

122 Section 3. Subsection (45) is added to section 320.08058,
 123 Florida Statutes, to read:

124 320.08058 Specialty license plates.--

125 (45) ANIMAL FRIEND LICENSE PLATES.--

126 (a) Notwithstanding the provisions of s. 320.08053, the
 127 department shall develop an Animal Friend license plate as
 128 provided in this section. Animal Friend license plates must bear
 129 the colors and design approved by the department. The word
 130 "Florida" must appear at the top of the plate, and the words
 131 "Animal Friend" must appear at the bottom of the plate.

132 (b)1. The department shall retain initial annual use fee
 133 proceeds sufficient to cover its costs related to the
 134 development and issuance of the Animal Friend license plate, not

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135 to exceed \$60,000. Thereafter, the proceeds of the annual use
136 fee shall be distributed to Florida Animal Friends, Inc., as
137 created in s. 570.93 and used as provided for in that section.

138 2. In the first year the plate is issued, no more than 25
139 percent of the fees collected may be used for administrative
140 costs directly associated with the operation of Florida Animal
141 Friends, Inc., and marketing and promotion of the Animal Friend
142 concept and license plate.

143 3. In the second and subsequent years the plate is issued,
144 no more than 20 percent of the fees collected may be used for
145 administrative costs directly associated with the operation of
146 Florida Animal Friends, Inc., and marketing and promotion of the
147 Animal Friend concept and license plate.

148 Section 4. This act shall take effect July 1, 2004.