

1                                   A bill to be entitled  
 2           An act relating to the hurricane impacts on specific  
 3           agricultural programs; providing legislative findings with  
 4           respect to the impact of the hurricanes and tropical storm  
 5           of 2004 on the department's citrus canker eradication and  
 6           tree compensation programs, the spread of an infestation  
 7           of soybean rust, and the Caribbean fruit fly certification  
 8           program; requiring the department to provide a report on  
 9           citrus canker eradication to the Governor and the  
 10          Legislature; providing appropriations; requiring the  
 11          department to maximize available federal funds for certain  
 12          programs; requiring the Executive Office of the Governor  
 13          to provide prior notice to the Legislative Budget  
 14          Commission on allocations from lump-sum appropriations to  
 15          appropriations categories; providing an effective date.

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

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 19           Section 1. (1) The Legislature finds that the citrus  
 20 canker eradication and tree compensation programs, soybean  
 21 crops, and the Caribbean fruit fly certification program were  
 22 affected by Hurricanes Charley, Frances, Jeanne, and Ivan and by  
 23 Tropical Storm Bonnie, which struck the state during 2004. In  
 24 order to stop the further spread of citrus canker disease and  
 25 soybean rust, additional work activities are necessary  
 26 throughout the citrus and soybean growing regions of the state.

27           (2) The Legislature finds that storms of great strength  
 28 can spread the fungal spores of soybean rust over long

29 distances, that soybean rust was spread into Northwest Florida  
30 from South America by Hurricane Ivan, and that soybean rust is  
31 one of the most serious diseases affecting soybeans, with  
32 control costs estimated at \$21 per acre. The Legislature further  
33 finds that surveys and diagnostic assessments are needed in  
34 order to determine the extent of this infestation.

35 (3) The Legislature finds that there is a projected  
36 shortfall of revenues in the Plant Industry Trust Fund  
37 designated for the purpose of funding the Caribbean fruit fly  
38 certification program, which allows citrus groves in the state  
39 to be certified as free of the Caribbean fruit fly so that fruit  
40 may be shipped to foreign and domestic markets, such as Japan,  
41 China, and Europe and California and Texas. The Legislature  
42 further finds that personnel must continue to conduct activities  
43 needed to meet the requirements of the state's trading partners  
44 and that the acres remaining in the certification program are  
45 not concentrated in one area of the state.

46 Section 2. The Department of Agriculture and Consumer  
47 Services shall provide a report by February 11, 2005, describing  
48 the progress made to date on the eradication of citrus canker.  
49 The report must include the number of trees cut, the number of  
50 trees for which compensation was paid, the number of Shade  
51 Florida vouchers distributed, the amount of state and federal  
52 funds spent, and the funding impacts for the 2005-2006 fiscal  
53 year budget. The report must be submitted to the Governor, the  
54 President of the Senate, and the Speaker of the House of  
55 Representatives.

56           Section 3. (1) For the 2004-2005 fiscal year, \$7.1  
57 million is appropriated from the General Revenue Fund and \$6  
58 million is appropriated from the Contracts and Grants Trust Fund  
59 to the Department of Agriculture and Consumer Services in lump  
60 sum to implement activities associated with citrus canker  
61 eradication, tree compensation, soybean rust control, and  
62 Caribbean fruit fly certification which were adversely affected  
63 by the 2004 hurricanes and tropical storm.

64           (2) In planning the expenditure of funds appropriated, the  
65 Department of Agriculture and Consumer Services shall maximize  
66 available federal funds for citrus canker eradication and tree  
67 compensation.

68           Section 4. Notwithstanding the provisions of s. 216.177,  
69 Florida Statutes, requiring a 14-day notice for interim budget  
70 actions, and pursuant to s. 216.351, Florida Statutes, the  
71 Executive Office of the Governor shall provide notice of the  
72 allocation of the lump-sum appropriations authorized by this act  
73 into traditional appropriation categories to the chair and vice  
74 chair of the Legislative Budget Commission at least 3 working  
75 days prior to the effective date of such allocation.

76           Section 5. This act shall take effect upon becoming a law.