

HB 5077

2008

1 A bill to be entitled

2 An act relating to the Department of Agriculture and
3 Consumer Services; amending s. 215.20, F.S.; including the
4 Agricultural Emergency Eradication Trust Fund within
5 specified trust funds that are subject to the service
6 charge on income of a revenue nature; amending s. 570.191,
7 F.S.; revising the uses of the Agricultural Emergency
8 Eradication Trust Fund; repealing s. 570.1911, F.S.,
9 relating to notice of certification of an agricultural
10 emergency; amending s. 570.20, F.S.; providing for the
11 transfer of certain funds from the General Inspection
12 Trust Fund to the General Revenue Fund for a specified
13 period; removing obsolete provisions; amending s. 581.212,
14 F.S.; providing for the transfer of certain funds from the
15 Plant Industry Trust Fund to the General Revenue Fund for
16 a specified period; repealing s. 585.105, F.S., relating
17 to the purchase, distribution, and administration of
18 approved brucella vaccine by the department; amending s.
19 589.08, F.S.; eliminating the distribution to counties of
20 a specified percentage of gross receipts from a state
21 forest; repealing s. 589.081, F.S., relating to the
22 payment of a specified percentage of the gross receipts
23 from Withlacoochee State Forest and Goethe State Forest to
24 certain counties; providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Paragraph (c) of subsection (4) of section

HB 5077

2008

29 215.20, Florida Statutes, is amended to read:

30 215.20 Certain income and certain trust funds to
 31 contribute to the General Revenue Fund.--

32 (4) The income of a revenue nature deposited in the
 33 following described trust funds, by whatever name designated, is
 34 that from which the appropriations authorized by subsection (3)
 35 shall be made:

36 (c) Within the Department of Agriculture and Consumer
 37 Services:

38 1. The Agricultural Emergency Eradication Trust Fund.

39 ~~2.1.~~ The Conservation and Recreation Lands Program Trust
 40 Fund.

41 ~~3.2.~~ The General Inspection Trust Fund and subsidiary
 42 accounts thereof, unless a different percentage is authorized by
 43 s. 570.20.

44 ~~4.3.~~ The Division of Licensing Trust Fund.

45
 46 The enumeration of the foregoing moneys or trust funds shall not
 47 prohibit the applicability thereto of s. 215.24 should the
 48 Governor determine that for the reasons mentioned in s. 215.24
 49 the money or trust funds should be exempt herefrom, as it is the
 50 purpose of this law to exempt income from its force and effect
 51 when, by the operation of this law, federal matching funds or
 52 contributions or private grants to any trust fund would be lost
 53 to the state.

54 Section 2. Section 570.191, Florida Statutes, is amended
 55 to read:

56 570.191 Agricultural Emergency Eradication Trust

HB 5077

2008

57 Fund.--There is created in the office of the commissioner the
 58 Agricultural Emergency Eradication Trust Fund. Funds in the
 59 trust fund may be made available for the promotion, advancement,
 60 and protection of agriculture in the state, including
 61 maintaining or increasing market share and suppressing or
 62 eradicating wildfire, animal or plant disease, insect
 63 infestation, or a plant or pest that endangers or threatens
 64 agriculture upon certification by the commissioner that an
 65 agricultural emergency exists and that funds specifically
 66 appropriated for the emergency's purpose are exhausted or
 67 insufficient to eliminate the agricultural emergency. The term
 68 "agricultural emergency" means an animal or plant disease,
 69 insect infestation, or plant or pest endangering or threatening
 70 the horticultural, aquacultural, or other agricultural interests
 71 in this state.

72 Section 3. Section 570.1911, Florida Statutes, is
 73 repealed.

74 Section 4. Subsection (2) of section 570.20, Florida
 75 Statutes, is amended to read:

76 570.20 General Inspection Trust Fund.--

77 (2) The sum of \$300,000 received annually into the General
 78 Inspection Trust Fund shall be transferred to the General
 79 Revenue Fund. It shall be transmitted in equal monthly payments
 80 until the total is received in the General Revenue Fund. This
 81 subsection expires July 1, 2013. For the 2007-2008 fiscal year
 82 only and notwithstanding any other provision of law to the
 83 contrary, in addition to the spending authorized in subsection
 84 (1), moneys in the General Inspection Trust Fund may be

85 ~~appropriated for programs operated by the department which are~~
 86 ~~related to the programs authorized by this chapter. This~~
 87 ~~subsection expires July 1, 2008.~~

88 Section 5. Section 581.212, Florida Statutes, is amended
 89 to read:

90 581.212 Handling of moneys received.--

91 (1) All moneys received by the department under the
 92 provisions of this chapter shall be deposited in the Plant
 93 Industry Trust Fund and shall be used by the department to
 94 defray its expenses in carrying out the duties imposed on it by
 95 this chapter.

96 (2) The sum of \$300,000 received annually into the Plant
 97 Industry Trust Fund shall be transferred to the General Revenue
 98 Fund. It shall be transmitted in equal monthly payments until
 99 the total is received in the General Revenue Fund. This
 100 subsection expires July 1, 2013.

101 Section 6. Section 585.105, Florida Statutes, is repealed.

102 Section 7. Subsection (2) of section 589.08, Florida
 103 Statutes, is amended to read:

104 589.08 Land acquisition restrictions.--

105 (2) The division may receive, hold the custody of, and
 106 exercise the control of any lands, and set aside into a
 107 separate, distinct and inviolable fund, the proceeds which may
 108 be derived from the sales of the products of such lands, the use
 109 thereof in any manner, or the sale of such lands save the 25
 110 percent of the proceeds thereof to be paid into the State School
 111 Fund as provided by law. The division may use and apply such
 112 funds for the acquisition, use, custody, management,

HB 5077

2008

113 development, or improvement of any lands vested in or subject to
114 the control of such division. ~~After full payment has been made~~
115 ~~for the purchase of a state forest, to the Federal Government or~~
116 ~~other grantor, then 15 percent of the gross receipts from a~~
117 ~~state forest shall be paid to the county or counties in which it~~
118 ~~is located in proportion to the acreage located in each county~~
119 ~~for use by the county or counties for school purposes.~~

120 Section 8. Section 589.081, Florida Statutes, is repealed.

121 Section 9. This act shall take effect July 1, 2008.