

By Senator Hays

11-00761C-14

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1 A bill to be entitled
2 An act relating to trust funds; terminating the
3 Agricultural Law Enforcement Trust Fund, the Market
4 Trade Show Trust Fund, and the Relocation and
5 Construction Trust Fund within the Department of
6 Agriculture and Consumer Services; providing for the
7 disposition of balances in, revenues of, and all
8 outstanding appropriations of the trust funds;
9 prescribing procedures for the termination of the
10 trust funds; creating s. 570.192, F.S.; providing for
11 the administration and funding of the Administrative
12 Trust Fund; creating s. 570.193, F.S.; providing for
13 the administration and funding of the Federal Grants
14 Trust Fund; creating s. 570.194, F.S.; providing for
15 the administration and funding of the Florida
16 Saltwater Products Promotion Trust Fund; creating s.
17 570.321, F.S.; providing for the administration and
18 funding of the Plant Industry Trust Fund; creating s.
19 570.441, F.S.; providing for the administration and
20 funding of the Pest Control Trust Fund; creating s.
21 570.482, F.S.; providing for the administration and
22 funding of the Citrus Inspection Trust Fund; creating
23 s. 570.5481, F.S.; providing for the administration
24 and funding of the Incidental Trust Fund; amending s.
25 571.24, F.S.; adding collecting rental receipts for
26 industry promotions to the list of departmental
27 duties; amending s. 253.025, F.S.; redirecting
28 proceeds from the Relocation and Construction Trust
29 Fund to the Incidental Trust Fund; conforming

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30 provisions to changes made by the act; amending s.
31 932.7055, F.S.; redirecting proceeds from the
32 Agricultural Law Enforcement Trust Fund to the General
33 Inspection Trust Fund; providing an effective date.
34

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

37 Section 1. (1) The Agricultural Law Enforcement Trust Fund
38 within the Department of Agriculture and Consumer Services,
39 FLAIR number 42-2-025, is terminated.

40 (2) All current balances remaining in, and all revenues of,
41 the trust fund shall be transferred to the General Inspection
42 Trust Fund within the Department of Agriculture and Consumer
43 Services, FLAIR number 42-2-321.

44 (3) The Department of Agriculture and Consumer Services
45 shall pay any outstanding debts or obligations of the terminated
46 fund as soon as practicable, and the Chief Financial Officer
47 shall close out and remove the terminated fund from various
48 state accounting systems using generally accepted accounting
49 principles concerning warrants outstanding, assets, and
50 liabilities.

51 Section 2. (1) The Market Trade Show Trust Fund within the
52 Department of Agriculture and Consumer Services, FLAIR number
53 42-2-466, is terminated.

54 (2) All current balances remaining in, and all revenues of,
55 the trust fund shall be transferred to the Florida Agricultural
56 Promotional Campaign Trust Fund within the Department of
57 Agriculture and Consumer Services, FLAIR number 42-2-920.

58 (3) The Department of Agriculture and Consumer Services

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59 shall pay any outstanding debts or obligations of the terminated
60 fund as soon as practicable, and the Chief Financial Officer
61 shall close out and remove the terminated fund from various
62 state accounting systems using generally accepted accounting
63 principles concerning warrants outstanding, assets, and
64 liabilities.

65 Section 3. (1) The Relocation and Construction Trust Fund
66 within the Department of Agriculture and Consumer Services,
67 FLAIR number 42-2-584, is terminated.

68 (2) All current balances remaining in, all revenues of, and
69 all outstanding appropriations of the trust fund shall be
70 transferred to the Incidental Trust Fund within the Department
71 of Agriculture and Consumer Services, FLAIR number 42-2-381.

72 (3) The Department of Agriculture and Consumer Services
73 shall pay any outstanding debts or obligations of the terminated
74 fund as soon as practicable, and the Chief Financial Officer
75 shall close out and remove the terminated fund from various
76 state accounting systems using generally accepted accounting
77 principles concerning warrants outstanding, assets, and
78 liabilities.

79 Section 4. Section 570.192, Florida Statutes, is created to
80 read:

81 570.192 Administrative Trust Fund.—

82 (1) The Administrative Trust Fund shall be administered by
83 the Department of Agriculture and Consumer Services.

84 (2) Funds to be credited to and uses of the trust fund
85 shall be administered in accordance with s. 215.32.

86 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
87 any balance in the trust fund at the end of a fiscal year shall

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88 remain in the trust fund at the end of the year and be available
89 for carrying out the purposes of the trust fund.

90 Section 5. Section 570.193, Florida Statutes, is created to
91 read:

92 570.193 Federal Grants Trust Fund.—

93 (1) The Federal Grants Trust Fund shall be administered by
94 the Department of Agriculture and Consumer Services.

95 (2) Funds to be credited to and uses of the trust fund
96 shall be administered in accordance with s. 215.32.

97 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
98 any balance in the trust fund at the end of a fiscal year shall
99 remain in the trust fund at the end of the year and be available
100 for carrying out the purposes of the trust fund.

101 Section 6. Section 570.194, Florida Statutes, is created to
102 read:

103 570.194 Florida Saltwater Products Promotion Trust Fund.—

104 (1) The Florida Saltwater Products Promotion Trust Fund
105 shall be administered by the Department of Agriculture and
106 Consumer Services.

107 (2) Funds to be credited to and uses of the trust fund
108 shall be administered in accordance with ss. 328.76 and 379.362.

109 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
110 any balance in the trust fund at the end of a fiscal year shall
111 remain in the trust fund at the end of the year and be available
112 for carrying out the purposes of the trust fund.

113 Section 7. Section 570.321, Florida Statutes, is created to
114 read:

115 570.321 Plant Industry Trust Fund.—

116 (1) The Plant Industry Trust Fund shall be administered by

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117 the Department of Agriculture and Consumer Services.

118 (2) Funds to be credited to and uses of the trust fund
119 shall be administered in accordance with ss. 259.032, 581.031,
120 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and
121 593.117.

122 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
123 any balance in the trust fund at the end of a fiscal year shall
124 remain in the trust fund at the end of the year and be available
125 for carrying out the purposes of the trust fund.

126 Section 8. Section 570.441, Florida Statutes, is created to
127 read:

128 570.441 Pest Control Trust Fund.—

129 (1) The Pest Control Trust Fund shall be administered by
130 the Department of Agriculture and Consumer Services.

131 (2) Funds to be credited to and uses of the trust fund
132 shall be administered in accordance with chapter 482.

133 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
134 any balance in the trust fund at the end of a fiscal year shall
135 remain in the trust fund at the end of the year and be available
136 for carrying out the purposes of the trust fund.

137 Section 9. Section 570.482, Florida Statutes, is created to
138 read:

139 570.482 Citrus Inspection Trust Fund.—

140 (1) The Citrus Inspection Trust Fund shall be administered
141 by the Department of Agriculture and Consumer Services.

142 (2) Funds to be credited to and uses of the trust fund
143 shall be administered in accordance with ss. 570.481, 573.118,
144 581.091, 601.28, 601.281, and 601.59.

145 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,

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146 any balance in the trust fund at the end of a fiscal year shall
147 remain in the trust fund at the end of the year and be available
148 for carrying out the purposes of the trust fund.

149 Section 10. Section 570.5481, Florida Statutes, is created
150 to read:

151 570.5481 Incidental Trust Fund.—

152 (1) The Incidental Trust Fund shall be administered by the
153 Department of Agriculture and Consumer Services.

154 (2) Funds to be credited to and uses of the trust fund
155 shall be administered in accordance with ss. 125.27, 253.025,
156 261.12, 317.0010, 317.0016, 589.011, 589.04, 589.11, 589.277,
157 589.31, 590.02, 590.14, and 590.42.

158 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
159 any balance in the trust fund at the end of a fiscal year shall
160 remain in the trust fund at the end of the year and be available
161 for carrying out the purposes of the trust fund.

162 Section 11. Present subsections (4) through (9) of section
163 571.24, Florida Statutes, are redesignated as subsections (5)
164 through (10), respectively, and a new subsection (4) is added to
165 that section, to read:

166 571.24 Purpose; duties of the department.—The purpose of
167 this part is to authorize the department to establish and
168 coordinate the Florida Agricultural Promotional Campaign. The
169 duties of the department shall include, but are not limited to:

170 (4) Collecting rental receipts for industry promotions.

171 Section 12. Paragraphs (b) and (d) of subsection (13) of
172 section 253.025, Florida Statutes, are amended to read:

173 253.025 Acquisition of state lands for purposes other than
174 preservation, conservation, and recreation.—

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175 (13)

176 (b) In the case of a sale by the Department of Agriculture
177 and Consumer Services of a forestry facility, the proceeds of
178 the sale shall go into the Department of Agriculture and
179 Consumer Services Incidental Relocation and Construction Trust
180 Fund. The Legislature may, at the request of the department,
181 appropriate such money within the trust fund to the department
182 for purchase of land and construction of a facility to replace
183 the disposed facility. All proceeds other than land, from any
184 sale, conveyance, exchange, trade, or transfer conducted as
185 provided for in this subsection shall be placed within the
186 department's Incidental Relocation and Construction Trust Fund.

187 ~~(d) There is hereby created in the Department of~~
188 ~~Agriculture and Consumer Services the Relocation and~~
189 ~~Construction Trust Fund. The trust fund is to be used for the~~
190 ~~sole purpose of effectuating the orderly relocation of the~~
191 ~~forestry fire towers and work centers.~~

192 Section 13. Paragraph (h) of subsection (6) of section
193 932.7055, Florida Statutes, is amended to read:

194 932.7055 Disposition of liens and forfeited property.—

195 (6) If the seizing agency is a state agency, all remaining
196 proceeds shall be deposited into the General Revenue Fund.
197 However, if the seizing agency is:

198 (h) The Department of Agriculture and Consumer Services,
199 the proceeds accrued pursuant to ~~the provisions of~~ the Florida
200 Contraband Forfeiture Act shall be deposited into the General
201 Inspection Agricultural Law Enforcement Trust Fund or into the
202 department's Federal Law Enforcement Trust Fund as provided in
203 s. 570.205, as applicable.

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Section 14. This act shall take effect July 1, 2014.