

## Senate Bill No. 16-A

An act relating to hurricane impacts on specified agricultural programs; providing legislative findings with respect to the impact of the hurricanes and tropical storm of 2004 on the department's citrus canker eradication and compensation programs, the spread of an infestation of soybean rust resulting in the need to conduct surveys to determine the extent of such infestation, and a projected shortfall in revenues of the Plant Industry Trust Fund; requiring the department to provide a report on citrus canker eradication to the Governor and the Legislature; providing appropriations; requiring the department to maximize available federal funds for certain programs; requiring that the Executive Office of the Governor provide prior notice to the Legislative Budget Commission of allocations from lump-sum appropriations to appropriation categories; providing an effective date.

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

Section 1. (1) The Legislature finds that the Citrus Canker Eradication and Tree Compensation programs, soybean crops, and the Caribbean Fruit Fly Certification Program were affected by Hurricanes Charley, Frances, Jeanne, and Ivan and by Tropical Storm Bonnie, which struck the state during 2004. In order to stop further spread of the citrus canker disease and soybean rust, additional work activities are necessary throughout the citrus and soybean growing region of the state.

(2) The Legislature finds that soybean rust was spread into Northwest Florida from South America by Hurricane Ivan, storms of this strength can spread these fungal spores over long distances, and soybean rust is one of the most serious diseases affecting soybeans, with control costs estimated at \$21 per acre. The Legislature further finds that surveys and diagnostics are needed in order to determine the extent of this infestation.

(3) The Legislature finds that there is a projected shortfall of revenues in the Plant Industry Trust Fund for the purpose of funding the Caribbean Fruit Fly Certification Program, which allows citrus groves in this state to be certified as free of the Caribbean fruit fly so that fruit can be shipped to domestic and foreign markets, such as Japan, China, Europe, California, and Texas. The Legislature finds that personnel must continue to conduct activities needed to meet the requirements of the state's trading partners and that the acres remaining in the certification program are not concentrated in one area of the state.

Section 2. The Department of Agriculture and Consumer Services shall provide a report by February 11, 2005, describing the progress made to date on the eradication of citrus canker. The report must include the number of trees cut, the number of trees for which compensation was paid, the number of Shade Florida vouchers distributed, the amount of state and federal funds spent, and the funding impacts on the 2005-2006 fiscal year budget. The

report must be submitted to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives.

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

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

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

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

Approved by the Governor December 21, 2004.

Filed in Office Secretary of State December 21, 2004.