

1 A bill to be entitled
 2 An act relating to citrus fruit; amending s. 573.112,
 3 F.S.; providing that the Citrus Research and Development
 4 Foundation shall provide advice to the Department of
 5 Agriculture and Consumer Services with respect to citrus
 6 research marketing orders, conduct citrus research, and
 7 perform other duties assigned by the department; amending
 8 s. 573.118, F.S.; providing for the deposit of certain
 9 agricultural assessments; revising the assessment rate on
 10 citrus fruit; amending s. 581.031, F.S.; expanding the
 11 type of research projects that may be conducted by the
 12 department; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsection (7) is added to section 573.112,
 17 Florida Statutes, to read:

18 573.112 Advisory council.—

19 (7) Notwithstanding any provision of this section, the
 20 Citrus Research and Development Foundation, Inc., a direct-
 21 support organization of the University of Florida established
 22 pursuant to s. 1004.28, shall serve as the advisory council for
 23 a citrus research marketing order, provide the department with
 24 advice on administering the order, and, in accordance with the
 25 order, conduct citrus research and perform other duties assigned
 26 by the department. Notwithstanding s. 1004.28(3), the
 27 foundation's board of directors shall be composed of 13 members,
 28 including 10 citrus growers, 2 representatives of the

29 university's Institute of Food and Agricultural Sciences, and 1
 30 member appointed by the Commissioner of Agriculture.

31 Section 2. Subsections (1) and (6) of section 573.118,
 32 Florida Statutes, are amended to read:

33 573.118 Assessment; funds; audit; loans.—

34 (1) To provide funds to defray the necessary expenses
 35 incurred by the department in the formulation, issuance,
 36 administration, and enforcement of any marketing order, every
 37 person engaged in the production, distributing, or handling of
 38 agricultural commodities within this state, and directly
 39 affected by any marketing order, shall pay to the department, at
 40 such times and in such installments as the department may
 41 prescribe, such person's pro rata share of necessary expenses.
 42 Each person's share of expenses shall be that proportion which
 43 the total volume of agricultural commodities produced,
 44 distributed, or handled by the person during the current
 45 marketing season, or part thereof covered by such marketing
 46 order, is of the total volume of the commodities produced,
 47 distributed, or handled by all such persons during the same
 48 current marketing season or part thereof. The department, after
 49 receiving the recommendations of the advisory council, shall fix
 50 the rate of assessment on the volume of agricultural commodities
 51 sold or some other equitable basis. For convenience of
 52 collection, upon request of the department, handlers of the
 53 commodities shall pay any producer assessments. Handlers paying
 54 assessments for and on behalf of any producers may ~~shall, at~~
 55 ~~their discretion,~~ collect the producer assessments from any
 56 moneys owed by the handlers to the producers. The collected

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57 assessments shall be deposited into the appropriate ~~General~~
58 ~~Inspection~~ trust fund and ~~shall be~~ used for the sole purpose of
59 implementing the marketing order for which the assessment was
60 collected. The department is not subject to ~~the procedures found~~
61 ~~in~~ s. 287.057 in the expenditure of these funds. However, the
62 director of the Division of Marketing and Development shall file
63 with the internal auditor of the department a certification of
64 conditions and circumstances justifying each contract or
65 agreement entered into without competitive bidding.

66 (6) An ~~Any~~ assessment levied upon citrus fruit under this
67 section may not exceed the rate established in the marketing
68 order and ~~shall be at a rate not to exceed 1 cent per standard-~~
69 ~~packed box of citrus fruit grown and placed into the primary~~
70 ~~channel of trade in this state. All revenues from such~~
71 ~~assessment collected by the department~~ shall be deposited into
72 the Citrus Inspection Trust Fund.

73 Section 3. Subsection (32) of section 581.031, Florida
74 Statutes, is amended to read:

75 581.031 Department; powers and duties.—The department has
76 the following powers and duties:

77 (32) To ~~The Department of Agriculture and Consumer~~
78 ~~Services shall~~ conduct or cause to be conducted ~~those~~ research
79 projects ~~on citrus diseases~~, including, but not limited to,
80 citrus canker and citrus greening, which are recommended by the
81 Florida Citrus Production Research Advisory Council, within the
82 limits of appropriations made specifically for such purpose.

83 Section 4. This act shall take effect July 1, 2010.