

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Governmental Oversight and Accountability Committee

BILL: SB 2010

INTRODUCER: Senator Dean

SUBJECT: Florida Agriculture Museum

DATE: March 11, 2010 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hill	Poole	AG	Favorable
2.	Harmsen	Wilson	GO	Favorable
3.	_____	_____	GA	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill deletes the Florida Agricultural Museum from statute.

This bill repeals section 570.901 and amends sections 570.902 and 570.903 of the Florida Statutes.

II. Present Situation:

The Florida Agricultural Museum was established as a part of the Department of Agriculture and Consumer Services by the Legislature in 1992.¹ The museum operates as a not for profit direct-support organization (DSO) under Florida Statute 570.903.² Section 570.903, Florida Statutes, language is unclear The Florida Agricultural Museum DSO contracts with the Department of Agriculture and Consumer Services to determine the conditions upon which the DSO may use the property, facilities, or personnel of the department.³

The DSO has the following statutory powers:

- to raise, hold, and administer funds for the benefit of the museum;
- to enter into contracts for additions to, or insurance of the museum’s collections; and
- to provide for an annual financial audit.⁴

¹ Section 11, Chapter 92-151, Laws of Florida. 570.901-.903, F.S.

² A “direct-support organization” is defined as “an organization which is a Florida corporation not for profit incorporated under the provisions of chapter 617 and approved by the department to operate for the benefit of a museum or a specific departmental program.” 570.902(2), Florida Statutes.

³ Contract on file with the Committee.

⁴ 570.903(2)(a)-(c), Florida Statutes.

The Department of Agriculture and Consumer Services historically funded one position at the museum, but in the 2008 Legislative Session, this position and its funding was cut. The museum, however, continues to operate as a DSO under contract with the Department.

III. Effect of Proposed Changes:

This bill removes the Florida Agricultural Museum from statute, and thereby eliminates the museum as a State of Florida entity.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Department of Agriculture will no longer be responsible for the Florida Agricultural Museum.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Although the museum has operated as a DSO since the 1992 passage of sections 570.901-903, Florida Statutes, it is unclear if the Legislature has authorized creation of the DSO pursuant to s. 570.903(1), F.S.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
