

Synopsis of proposed changes to Chapter 388 for 2012 Legislative Session.

388.161 District boards of commissioners; powers and duties.—

(1) The board of commissioners may do any and all things necessary for the control and elimination of all species of mosquitoes and other arthropods of public health importance and the board of commissioners is specifically authorized to provide for the construction and maintenance of canals, ditches, drains, dikes, fills, and other necessary works and to install and maintain pumps, excavators, and other machinery and equipment, to use ~~oil, larvicide paris green, or any other chemicals~~ pesticides approved registered by the department but only in such quantities as may be necessary to control mosquito breeding and not be detrimental to fish life.

388.201 District budgets; hearing.—

- (1) No change
- (2) No change
- (3) No change
- (4) The governing board:
 - (a) Shall give consideration to objections filed against adoption of the tentative detailed work plan budget and in its discretion may amend, modify, or change such budget; and
 - (b) Shall by September ~~15~~ 30 following adopt and execute on a form furnished by the department a certified budget for the district which shall be the operating and fiscal guide for the district. Certified copies of this budget shall be submitted by September ~~15~~ 30 to the department for approval.

388.323 Disposal of surplus property.—Surplus property shall be disposed of according to the provisions set forth in s. 274.05 with the following exceptions:

- (1) Serviceable equipment no longer needed by a county or district shall first be offered to any or all other counties or districts engaged in arthropod control at a price established by the board of commissioners owning the equipment. ~~If no acceptable offer is received within a reasonable time, the equipment shall be offered to such other governmental units or private nonprofit agencies as provided in s. 274.05~~
- (2) The alternative procedure for disposal of surplus property, as prescribed in s. 274.06, shall be followed if it has been determined ~~no other county, district, governmental unit, or private nonprofit agency has need for the equipment.~~ counties or districts engaged in arthropod control.

~~388.42—John A. Mulrennan, Sr., Arthropod Research Laboratory.—~~

- ~~(1)—The John A. Mulrennan, Sr., Arthropod Research Laboratory located in Panama City shall be a research laboratory under the administration of Florida Agricultural and Mechanical University. The laboratory shall perform basic and applied research to develop and test formulations, application techniques, and procedures of pesticides and biological control agents for the control of arthropods and, in particular, biting arthropods of public health or nuisance importance. Special attention shall be given to the needs of arthropod control districts, counties, and municipalities of the state by providing information, assistance, and recommendations for the safe and effective control of arthropods which create a health or nuisance problem. The laboratory shall also conduct environmental impact studies to determine the effects of arthropod control pesticides, with a special emphasis on integrated arthropod control. Each quarter, the laboratory shall provide the department with such information as the department requires to assist it in the performance of its duties with respect to arthropod control under this chapter. The laboratory shall also serve as a center for the training of students and state and local government personnel in the safe and effective control of biting arthropods that create a public health or nuisance problem.~~
- ~~(2)—Any funds which may become available from the Federal Government, from any district or county, from funds appropriated to local arthropod control agencies by the state, or from any other sources may be used according to law in constructing, equipping, and operating the laboratory.~~

388.46 Florida Coordinating Council on Mosquito Control; establishment; membership; organization; responsibilities.—

(1) ESTABLISHMENT OF COUNCIL; LEGISLATIVE INTENT.— No change.

(2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

(a) Membership.—The Florida Coordinating Council on Mosquito Control shall be comprised of the following representatives or their authorized designees:

1. The Secretary of Environmental Protection and the State Surgeon General;
2. The executive director of the Fish and Wildlife Conservation Commission;
3. The state epidemiologist;
4. The Commissioner of Agriculture; and
5. Representatives from:

a. The University of Florida, Institute of Food and Agricultural Sciences, Florida Medical Entomological Research Laboratory;

~~b. Florida Agricultural and Mechanical University;~~

~~e.b.~~ The United States Environmental Protection Agency;

~~d.c.~~ The United States Department of Agriculture, Insects Affecting Man Laboratory;

~~e.d.~~ The United States Fish and Wildlife Service;

~~f.e.~~ Two mosquito control directors to be nominated by the Florida Mosquito Control Association, two representatives of Florida environmental groups, and two private citizens who are property owners whose lands are regularly subject to mosquito control operations, to be appointed to 4-year terms by the Commissioner of Agriculture; and

~~g.f.~~ The Board of Trustees of the Internal Improvement Trust Fund.

(b) Organization. - The council shall be chaired by the Commissioner of Agriculture or the commissioner's authorized designee. A majority of the membership of the council shall constitute a quorum for the conduct of business. The chair shall be responsible for recording and distributing to the members a summary of the proceedings of all council meetings. The council shall meet at least three times each year, or as needed. The council may designate subcommittees from time to time to assist in carrying out its responsibilities, provided that the Subcommittee on Managed Marshes shall be the first subcommittee appointed by the council. The subcommittee shall continue to provide technical assistance and guidance on ~~mosquito impoundment saltmarsh~~ management plans and develop and review research proposals for mosquito source reduction techniques. taking into account the mosquito control source reduction implications and natural resource interests in these habitats.

(c) Responsibilities.—The council shall:

1. Develop and implement guidelines to assist the department in resolving disputes arising over the control of arthropods on publicly owned lands.

~~2. Identify and recommend to Florida Agricultural and Mechanical University research priorities for arthropod control practices and technologies.~~

~~3.2.~~ Develop and recommend to the department a request for proposal process for arthropod control research.

~~4.3.~~ Identify potential funding sources for research or implementation projects and evaluate and prioritize proposals upon request by the funding source.

~~5.4.~~ Prepare and present reports, as needed, on arthropod control activities in the state to the Pesticide Review Council, ~~the Florida Coastal Management Program Interagency Management Committee~~, and other governmental organizations, as appropriate.