

1 A bill to be entitled
2 An act relating to the Department of Agriculture and
3 Consumer Services; amending s. 253.034, F.S.;
4 requiring public hearings relating to the development
5 of land management plans to be held in any one, rather
6 than each, county affected by such plans; amending s.
7 388.261, F.S.; revising provisions for the
8 distribution and use of state funds for local mosquito
9 control programs; amending s. 388.271, F.S.; revising
10 the date by which mosquito control districts must
11 submit their certified budgets for approval by the
12 department; amending s. 487.160, F.S.; deleting
13 provisions requiring the department to conduct a
14 survey and compile a report on restricted-use
15 pesticides; amending s. 534.083, F.S.; deleting
16 permitting requirements for livestock haulers;
17 amending s. 570.07, F.S.; clarifying the authority of
18 the department to regulate certain open burning;
19 creating s. 570.64, F.S.; establishing the duties of
20 the Division of Food, Nutrition, and Wellness within
21 the department; providing for a director of the
22 division; amending s. 570.902, F.S.; clarifying the
23 applicability of definitions relating to certain
24 designated programs and direct-support organizations;
25 amending s. 570.903, F.S.; authorizing the department
26 to establish direct-support organizations for museums
27 and other programs of the department; deleting
28 provisions that limit the establishment of direct-

29 support organizations to particular museums and
30 programs; deleting provisions authorizing direct-
31 support organizations to enter into certain contracts
32 or agreements; clarifying provisions prohibiting
33 specified entities from receiving commissions, fees,
34 or financial benefits in connection with the sale or
35 exchange of real property and historical objects;
36 providing for the termination of agreements between
37 the department and direct-support organizations;
38 providing for the distribution of certain assets;
39 deleting provisions requiring the department to
40 establish certain procedures relating to museum
41 artifacts and records; amending s. 576.051, F.S.;
42 authorizing the department to establish certain
43 criteria for fertilizer sampling and analysis;
44 amending s. 576.061, F.S.; requiring the department to
45 adopt rules establishing certain investigational
46 allowances for fertilizer deficiencies; providing a
47 date by which such allowances are effective and other
48 allowances are repealed; amending s. 576.181, F.S.;
49 revising the department's authority to adopt rules
50 establishing certain criteria for fertilizer analysis;
51 amending s. 585.61, F.S.; deleting provisions for the
52 establishment of an animal disease diagnostic
53 laboratory in Suwannee County; amending s. 586.10,
54 F.S.; authorizing apiary inspectors to be certified
55 beekeepers under certain conditions; amending s.
56 589.02, F.S.; deleting annual and special meeting

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57 requirements for the Florida Forestry Council;
58 amending s. 589.19, F.S.; establishing the Operation
59 Outdoor Freedom Program within the Florida Forest
60 Service to replace provisions for the designation of
61 specified hunt areas in state forests for wounded
62 veterans and servicemembers; providing purpose and
63 intent of the program; providing eligibility
64 requirements for program participation; providing
65 exceptions from eligibility requirements for certain
66 activities; providing for deposit and use of funds
67 donated to the program; limiting the liability of
68 private landowners who provide land for designation as
69 hunting sites for purposes of the program; amending s.
70 589.30, F.S.; revising references to certain Florida
71 Forest Service personnel titles; amending s. 590.02,
72 F.S.; authorizing the Florida Forest Service to allow
73 certain types of burning; specifying that sovereign
74 immunity applies to certain planning level activities;
75 deleting provisions relating to the composition and
76 duties of the Florida Forest Training Center advisory
77 council; prohibiting government entities from banning
78 certain types of burning; authorizing the service to
79 delegate authority to special districts to manage
80 certain types of burning; revising such authority
81 delegated to counties and municipalities; amending s.
82 590.11, F.S.; revising the prohibition on leaving
83 certain recreational fires unattended, to which
84 penalties apply; amending s. 590.125, F.S.; revising

85 | and providing definitions relating to open burning
86 | authorized by the Florida Forest Service; revising
87 | requirements for noncertified and certified burning;
88 | limiting the liability of the service and certain
89 | persons related to certain burns; amending s. 590.25,
90 | F.S.; revising provisions relating to criminal
91 | penalties for obstructing the prevention, detection,
92 | or suppression of wildfires; creating chapter 595,
93 | F.S., to establish the Florida School Food and
94 | Nutrition Act; creating s. 595.401, F.S.; providing a
95 | short title; creating s. 595.402, F.S.; providing
96 | definitions; creating s. 595.403, F.S.; declaring
97 | state policy relating to school food and nutrition
98 | services; transferring, renumbering, and amending ss.
99 | 570.98 and 570.981, F.S., relating to school food and
100 | nutrition services and the Florida Farm Fresh Schools
101 | Program; revising the department's duties and
102 | responsibilities for administering such services and
103 | program; revising requirements for school districts
104 | and sponsors; transferring, renumbering, and amending
105 | s. 570.982, F.S., relating to the children's summer
106 | nutrition program; clarifying provisions;
107 | transferring, renumbering, and amending s. 570.072,
108 | F.S., relating to the authority of the department to
109 | conduct, supervise, and administer commodity
110 | distribution services for school food and nutrition
111 | services; creating s. 595.501, F.S.; providing certain
112 | penalties; transferring, renumbering, and amending s.

113 570.983, relating to the Food and Nutrition Services
 114 Trust Fund; conforming a cross-reference; transferring
 115 and renumbering s. 570.984, F.S., relating to the
 116 Healthy Schools for Healthy Lives Council; amending s.
 117 1001.42, F.S.; requiring district school boards to
 118 perform duties relating to school lunch programs as
 119 required by the department's rules; amending s.
 120 1003.453, F.S.; deleting an obsolete provision;
 121 requiring school districts to submit certain policies
 122 to the Department of Agriculture and Consumer Services
 123 and the Department of Education; repealing ss.
 124 487.0615, 570.382, 570.97, and 590.50, F.S., relating
 125 to the Pesticide Review Council, Arabian horse racing
 126 and the Arabian Horse Council, the Gertrude Maxwell
 127 Save a Pet Direct-Support Organization, and permits
 128 for the sale of cypress products, respectively;
 129 amending ss. 487.041, 550.2625, and 550.2633, F.S.;
 130 conforming provisions; providing for the disbursement
 131 of specified funds; providing an effective date.

132
 133 Be It Enacted by the Legislature of the State of Florida:

134
 135 Section 1. Paragraph (f) of subsection (5) of section
 136 253.034, Florida Statutes, is amended to read:

137 253.034 State-owned lands; uses.—

138 (5) Each manager of conservation lands shall submit to the
 139 Division of State Lands a land management plan at least every 10
 140 years in a form and manner prescribed by rule by the board and

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141 | in accordance with the provisions of s. 259.032. Each manager of
142 | conservation lands shall also update a land management plan
143 | whenever the manager proposes to add new facilities or make
144 | substantive land use or management changes that were not
145 | addressed in the approved plan, or within 1 year of the addition
146 | of significant new lands. Each manager of nonconservation lands
147 | shall submit to the Division of State Lands a land use plan at
148 | least every 10 years in a form and manner prescribed by rule by
149 | the board. The division shall review each plan for compliance
150 | with the requirements of this subsection and the requirements of
151 | the rules established by the board pursuant to this section. All
152 | land use plans, whether for single-use or multiple-use
153 | properties, shall include an analysis of the property to
154 | determine if any significant natural or cultural resources are
155 | located on the property. Such resources include archaeological
156 | and historic sites, state and federally listed plant and animal
157 | species, and imperiled natural communities and unique natural
158 | features. If such resources occur on the property, the manager
159 | shall consult with the Division of State Lands and other
160 | appropriate agencies to develop management strategies to protect
161 | such resources. Land use plans shall also provide for the
162 | control of invasive nonnative plants and conservation of soil
163 | and water resources, including a description of how the manager
164 | plans to control and prevent soil erosion and soil or water
165 | contamination. Land use plans submitted by a manager shall
166 | include reference to appropriate statutory authority for such
167 | use or uses and shall conform to the appropriate policies and
168 | guidelines of the state land management plan. Plans for managed

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169 areas larger than 1,000 acres shall contain an analysis of the
170 multiple-use potential of the property, which analysis shall
171 include the potential of the property to generate revenues to
172 enhance the management of the property. Additionally, the plan
173 shall contain an analysis of the potential use of private land
174 managers to facilitate the restoration or management of these
175 lands. In those cases where a newly acquired property has a
176 valid conservation plan that was developed by a soil and
177 conservation district, such plan shall be used to guide
178 management of the property until a formal land use plan is
179 completed.

180 (f) In developing land management plans, at least one
181 public hearing shall be held in any one ~~each~~ affected county.

182 Section 2. Subsection (2) of section 388.261, Florida
183 Statutes, is amended to read:

184 388.261 State aid to counties and districts for arthropod
185 control; distribution priorities and limitations.—

186 (2) Every county or district budgeting local funds to be
187 used exclusively for the control of mosquitoes and other
188 arthropods, under a plan submitted by the county or district and
189 approved by the department, is ~~shall be~~ eligible to receive
190 state funds and supplies, services, and equipment on a dollar-
191 for-dollar matching basis to the amount of local funds budgeted.
192 If ~~Should~~ state funds appropriated by the Legislature are ~~be~~
193 insufficient to grant each county or district state funds on a
194 dollar-for-dollar matching basis to the amount budgeted in local
195 funds, the department shall distribute the funds as prescribed
196 by rule. Such rules shall provide for up to 80 percent of the

197 funds to be distributed to programs with local funds for
 198 mosquito control budgets of less than \$1 million, if the county
 199 or district meets the eligibility requirements. The funds shall
 200 be distributed as equally as possible within the category of
 201 counties pursuant to this section. The remaining funds shall be
 202 distributed as prescribed by rule among the remaining counties
 203 to support mosquito control and to support research, education,
 204 and outreach ~~prorate said state funds based on the amount of~~
 205 ~~matchable local funds budgeted for expenditure by each county or~~
 206 ~~district.~~

207 Section 3. Subsection (1) of section 388.271, Florida
 208 Statutes, is amended to read:

209 388.271 Prerequisites to participation.—

210 (1) When state funds are involved, it is the duty of the
 211 department to guide, review, approve, and coordinate the
 212 activities of all county governments and special districts
 213 receiving state funds in furtherance of the goal of integrated
 214 arthropod control. Each county or district eligible to
 215 participate hereunder may begin participation on October 1 of
 216 any year by filing with the department not later than July 15 a
 217 tentative work plan and tentative detailed work plan budget
 218 providing for the control of arthropods. Following approval of
 219 the plan and budget by the department, two copies of the
 220 county's or district's certified budget based on the approved
 221 work plan and detailed work plan budget shall be submitted to
 222 the department by not later than September 30 ~~15~~ following.
 223 State funds, supplies, and services shall be made available to
 224 such county or district by and through the department

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225 immediately upon release of funds by the Executive Office of the
 226 Governor.

227 Section 4. Section 487.160, Florida Statutes, is amended
 228 to read:

229 487.160 ~~Records; report.~~—Licensed private applicators
 230 supervising 15 or more unlicensed applicators or mixer-loaders
 231 and licensed public applicators and licensed commercial
 232 applicators shall maintain records as the department may
 233 determine by rule with respect to the application of restricted
 234 pesticides, including, but not limited to, the type and quantity
 235 of pesticide, method of application, crop treated, and dates and
 236 location of application. Other licensed private applicators
 237 shall maintain records as the department may determine by rule
 238 with respect to the date, type, and quantity of restricted-use
 239 pesticides used. Licensees shall keep records for a period of 2
 240 years from date of the application of the pesticide to which the
 241 records refer, and shall furnish to the department a copy of the
 242 records upon written request by the department. ~~Every third~~
 243 ~~year, the department shall conduct a survey and compile a report~~
 244 ~~on restricted-use pesticides in this state. This report shall~~
 245 ~~include, but not be limited to, types and quantities of~~
 246 ~~pesticides, methods of application, crops treated, and dates and~~
 247 ~~locations of application; records of persons working under~~
 248 ~~direct supervision; and reports of misuse, damage, or injury.~~

249 Section 5. Section 534.083, Florida Statutes, is amended
 250 to read:

251 534.083 ~~Livestock hauler's permit; display of permit on~~
 252 ~~vehicle; bill of lading.~~—

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253 ~~(1) No person shall engage in the business of transporting~~
254 ~~or hauling for hire livestock on any street or highway, as~~
255 ~~defined in s. 316.003(53), without first having applied for and~~
256 ~~obtained from the department a permit which shall expire on~~
257 ~~December 31 of each year. The information supplied by the~~
258 ~~applicant on the application for permit shall be certified under~~
259 ~~oath. Cost of the permit shall be \$5 for each year or fraction~~
260 ~~thereof.~~

261 ~~(2) The department shall issue a metal tag or plate to~~
262 ~~every person or company required to obtain a permit to transport~~
263 ~~or haul for hire livestock, which shall bear the serial number~~
264 ~~of the permit. Such a tag or plate shall be issued for each~~
265 ~~vehicle used by the hauler.~~

266 ~~(3) The metal tag or plate required under this section~~
267 ~~shall be attached to each vehicle used for transporting or~~
268 ~~hauling livestock in a conspicuous place in an upright position~~
269 ~~on the rear of the vehicle. When livestock is transported in a~~
270 ~~trailer type vehicle propelled or drawn by a motor truck or~~
271 ~~tractor, each such trailer shall have the tag or plate attached~~
272 ~~to the rear of the trailer in a conspicuous place in an upright~~
273 ~~position, and it shall not be necessary to have a tag attached~~
274 ~~to the motor truck or tractor.~~

275 ~~(4) Persons engaged in the business of transporting or~~
276 ~~hauling livestock in the state shall, upon receiving such~~
277 ~~livestock for transportation, issue a waybill or bill of lading~~
278 ~~for all livestock transported or hauled by them, and such~~
279 ~~waybill or bill of lading shall accompany the shipment of~~
280 ~~livestock, with a copy thereof being furnished to the person~~

281 delivering livestock to the hauler. The waybill or bill of
 282 lading shall show the place of origin and destination of the
 283 shipment, the name of the owner of the livestock, date and time
 284 of loading, name of person or company hauling the livestock, and
 285 the number of animals and a general description thereof. The
 286 waybill or bill of lading shall be signed by the person
 287 delivering the livestock to the hauler certifying that the
 288 information contained thereon is correct.

289 Section 6. Subsection (28) of section 570.07, Florida
 290 Statutes, is amended to read:

291 570.07 Department of Agriculture and Consumer Services;
 292 functions, powers, and duties.—The department shall have and
 293 exercise the following functions, powers, and duties:

294 (28) For purposes of pollution control and the prevention
 295 of wildfires, to regulate open burning connected with pile
 296 burning as defined in s. 590.125(1) ~~land-clearing~~, agricultural,
 297 or forestry operations.

298 Section 7. Section 570.64, Florida Statutes, is created to
 299 read:

300 570.64 Division of Food, Nutrition, and Wellness.—

301 (1) The duties of the Division of Food, Nutrition, and
 302 Wellness include, but are not limited to, administering and
 303 enforcing the powers and responsibilities of the division
 304 prescribed in chapter 595 and the rules adopted thereunder.

305 (2) The director of the division shall be appointed by,
 306 and serve at the pleasure of, the commissioner. The director
 307 shall supervise, direct, and coordinate activities of the
 308 division, exercise such powers and duties as authorized by the

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309 commissioner, enforce the provisions of chapter 595 and the
310 rules adopted thereunder, and any other powers and duties as
311 authorized by the department.

312 Section 8. Section 570.902, Florida Statutes, is amended
313 to read:

314 570.902 Definitions; ss. 570.902 and 570.903.—For the
315 purpose of this section ~~ss. 570.902~~ and s. 570.903:

316 (1) "Designated program" means the ~~specific~~ departmental
317 program which a direct-support organization has been created to
318 support.

319 (2) "Direct-support organization" or "organization" means
320 an organization which is a Florida corporation not for profit
321 incorporated under the provisions of chapter 617 and approved by
322 the department to operate for the benefit of a museum or a
323 ~~specific departmental~~ program.

324 (3) "Museum" means the Florida Agricultural Museum which
325 is designated as the museum for agriculture and rural history of
326 the State of Florida.

327 Section 9. Section 570.903, Florida Statutes, is amended
328 to read:

329 570.903 Direct-support organization.—

330 (1) The department may authorize ~~When the Legislature~~
331 ~~authorizes~~ the establishment of a direct-support organizations
332 ~~organization~~ to provide assistance, funding, and promotional
333 support for the museums, ~~the Florida Agriculture in the~~
334 ~~Classroom Program, the Florida State Collection of Arthropods,~~
335 ~~the Friends of the Florida State Forests Program of the Florida~~
336 ~~Forest Service, the Forestry Arson Alert Program,~~ and other

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337 programs of the department.~~7~~ The following provisions shall
338 govern the creation, use, powers, and duties of the direct-
339 support organizations ~~organization~~:

340 (a) The department shall enter into a memorandum or letter
341 of agreement with the direct-support organization, which shall
342 specify the approval of the department, the powers and duties of
343 the direct-support organization, and rules with which the
344 direct-support organization must comply.

345 (b) The department may authorize ~~permit~~, without charge,
346 appropriate use of property, facilities, and personnel of the
347 department by the ~~a~~ direct-support organization, ~~subject to ss.~~
348 ~~570.902 and 570.903~~. The use shall be for ~~directly in keeping~~
349 ~~with~~ the approved purposes of the direct-support organization
350 and may not be made at times or places that would unreasonably
351 interfere with opportunities for the general public to use
352 department facilities ~~for established purposes~~.

353 (c) The department shall prescribe by agreement ~~contract~~
354 ~~or by rule~~ conditions with which the ~~a~~ direct-support
355 organization must comply in order to use property, facilities,
356 or personnel of the department ~~or museum~~. Such conditions ~~rules~~
357 shall provide for budget and audit review and oversight by the
358 department.

359 (d) The department may not authorize ~~permit~~ the use of
360 property, facilities, or personnel of the museum, department, or
361 designated program by the ~~a~~ direct-support organization that
362 does not provide equal employment opportunities to all persons
363 regardless of race, color, religion, sex, age, or national
364 origin.

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365 (2) (a) The direct-support organization may ~~shall be~~
366 ~~empowered to~~ conduct programs and activities; raise funds;
367 request and receive grants, gifts, and bequests of money;
368 acquire, receive, hold, invest, and administer, in its own name,
369 securities, funds, objects of value, or other property, real or
370 personal; and make expenditures to or for the direct or indirect
371 benefit of the museum or designated program.

372 ~~(b) Notwithstanding the provisions of s. 287.057, the~~
373 ~~direct-support organization may enter into contracts or~~
374 ~~agreements with or without competitive bidding for the~~
375 ~~restoration of objects, historical buildings, and other~~
376 ~~historical materials or for the purchase of objects, historical~~
377 ~~buildings, and other historical materials which are to be added~~
378 ~~to the collections of the museum, or benefit the designated~~
379 ~~program. However, before the direct support organization may~~
380 ~~enter into a contract or agreement without competitive bidding,~~
381 ~~the direct-support organization shall file a certification of~~
382 ~~conditions and circumstances with the internal auditor of the~~
383 ~~department justifying each contract or agreement.~~

384 (b)(e) Notwithstanding the provisions of s. 287.025(1) (e),
385 the direct-support organization may enter into contracts to
386 insure property of the museum or designated programs and may
387 insure objects or collections on loan from others in satisfying
388 security terms of the lender.

389 (3) The direct-support organization shall provide for an
390 annual financial audit in accordance with s. 215.981.

391 (4) A department employee, direct-support organization or
392 museum employee, volunteer, or director, or ~~Neither a designated~~

393 | ~~program or a museum, nor a nonprofit corporation trustee or~~
 394 | ~~employee~~ may not:

395 | (a) Receive a commission, fee, or financial benefit in
 396 | connection with the sale or exchange of real or personal
 397 | property or historical objects ~~or properties~~ to the direct-
 398 | support organization, the museum, or the designated program; or

399 | (b) Be a business associate of any individual, firm, or
 400 | organization involved in the sale or exchange of real or
 401 | personal property to the direct-support organization, the
 402 | museum, or the designated program.

403 | (5) All moneys received by the direct-support organization
 404 | shall be deposited into an account of the direct-support
 405 | organization and shall be used by the organization in a manner
 406 | consistent with the goals of the museum or designated program.

407 | (6) The identity of a donor or prospective donor who
 408 | desires to remain anonymous and all information identifying such
 409 | donor or prospective donor are confidential and exempt from the
 410 | provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 411 | Constitution.

412 | (7) The Commissioner of Agriculture, or the commissioner's
 413 | designee, may serve on the board of trustees and the executive
 414 | committee of any direct-support organization established to
 415 | benefit the museum or any designated program.

416 | (8) The department may terminate its agreement with a
 417 | direct-support organization at any time if the department
 418 | determines that the direct-support organization no longer meets
 419 | the objectives of this section ~~The department shall establish by~~
 420 | ~~rule archival procedures relating to museum artifacts and~~

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421 ~~records. The rules shall provide procedures which protect the~~
422 ~~museum's artifacts and records equivalent to those procedures~~
423 ~~which have been established by the Department of State under~~
424 ~~chapters 257 and 267.~~

425 (9) Upon termination of the direct-support organization,
426 the assets of the direct-support organization shall be
427 distributed pursuant to its articles of incorporation or by-laws
428 or, if not provided for, to the department.

429 Section 10. Subsection (3) of section 576.051, Florida
430 Statutes, is amended to read:

431 576.051 Inspection, sampling, analysis.—

432 (3) The official analysis shall be made from the official
433 sample. The department, before making the official analysis,
434 shall take a sufficient portion from the official sample for
435 check analysis and place that portion in a bottle sealed and
436 identified by number, date, and the preparer's initials. The
437 official check sample shall be kept until the analysis of the
438 official sample is completed. However, the licensee may obtain
439 upon request a portion of the official check sample. Upon
440 completion of the analysis of the official sample, a true copy
441 of the fertilizer analysis report shall be mailed to the
442 licensee of the fertilizer from whom the official sample was
443 taken and to the dealer or agent, if any, and purchaser, if
444 known. This fertilizer analysis report shall show all
445 determinations of plant nutrient and pesticides. If the official
446 analysis conforms with the provisions of this law, the official
447 check sample may be destroyed. If the official analysis does not
448 conform with the provisions of this law, the official check

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449 sample shall be retained for a period of 90 days from the date
450 of the fertilizer analysis report of the official sample. If
451 within that time the licensee of the fertilizer from whom the
452 official sample was taken, upon receipt of the fertilizer
453 analysis report, makes written demand for analysis of the
454 official check sample by a referee chemist, a portion of the
455 official check sample sufficient for analysis shall be sent to a
456 referee chemist who is mutually acceptable to the department and
457 the licensee for analysis at the expense of the licensee. The
458 referee chemist, upon completion of the analysis, shall forward
459 to the department and to the licensee a fertilizer analysis
460 report bearing a proper identification mark or number; and the
461 fertilizer analysis report shall be verified by an affidavit of
462 the person making the analysis. If the results reported on the
463 fertilizer analysis report agree within the matching criteria
464 defined in department rule ~~checks within three-tenths of 1~~
465 ~~actual percent~~ with the department's analysis on each element
466 for which analysis was made, the mean average of the two
467 analyses shall be accepted as final and binding on all
468 concerned. However, if the referee's fertilizer analysis report
469 results do not agree within the matching criteria defined in
470 department rule with ~~shows a variation of greater than three-~~
471 ~~tenths of 1 actual percent from~~ the department's analysis in any
472 one or more elements for which an analysis was made, upon demand
473 of either the department or the licensee from whom the official
474 sample was taken, a portion of the official check sample
475 sufficient for analysis shall be submitted to a second referee
476 chemist who is mutually acceptable to the department and to the

477 licensee from whom the official sample was taken, at the expense
 478 of the party or parties requesting the referee analysis. If no
 479 demand is made for an analysis by a second referee chemist, the
 480 department's fertilizer analysis report shall be accepted as
 481 final and binding on all concerned. The second referee chemist,
 482 upon completion of the analysis, shall make a fertilizer
 483 analysis report as provided in this subsection for the first
 484 referee chemist. The mean average of the two analyses nearest in
 485 conformity to each other shall be accepted as final and binding
 486 on all concerned.

487 Section 11. Subsection (1) of section 576.061, Florida
 488 Statutes, is amended to read:

489 576.061 Plant nutrient investigational allowances,
 490 deficiencies, and penalties.—

491 (1) A commercial fertilizer is deemed deficient if the
 492 analysis of any nutrient is below the guarantee by an amount
 493 exceeding the investigational allowances. The department shall
 494 adopt rules, which shall take effect on July 1, 2014, that
 495 establish the investigational allowances used to determine
 496 whether a fertilizer is deficient in plant food.

497 (a) Effective July 1, 2014, this paragraph and paragraphs
 498 (b)-(f) are repealed. Until July 1, 2014, investigational
 499 allowances shall be are set as provided in paragraphs (b)-(f).
 500 follows:

501 (b)(a) Primary plant nutrients; investigational
 502 allowances.—

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Guaranteed	Total	Available	Potash
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	Percent	Nitrogen Percent	Phosphate Percent	Percent
504				
505				
506	04 or less	0.49	0.67	0.41
507	05	0.51	0.67	0.43
508	06	0.52	0.67	0.47
509	07	0.54	0.68	0.53
510	08	0.55	0.68	0.60
511	09	0.57	0.68	0.65
512	10	0.58	0.69	0.70
513	12	0.61	0.69	0.79
514	14	0.63	0.70	0.87
515	16	0.67	0.70	0.94
516	18	0.70	0.71	1.01
	20	0.73	0.72	1.08

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517	22	0.75	0.72	1.15
518	24	0.78	0.73	1.21
519	26	0.81	0.73	1.27
520	28	0.83	0.74	1.33
521	30	0.86	0.75	1.39
522	32 or more	0.88	0.76	1.44

523
 524 For guarantees not listed, calculate the appropriate value by
 525 interpolation.

526 (c) ~~(b)~~ Nitrogen investigational allowances.—

Investigational Allowances	
Nitrogen Breakdown	Percent
528 Nitrate nitrogen	0.40
529 Ammoniacal nitrogen	0.40
530 Water soluble nitrogen 531 or urea nitrogen	0.40

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Water insoluble nitrogen 0.30

In no case may the investigational allowance exceed 50 percent of the amount guaranteed.

(d)~~(e)~~ Secondary and micro plant nutrients, total or soluble.-

Element	Investigational Allowances Percent
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Calcium	0.2 unit+5 percent of guarantee
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Magnesium	0.2 unit+5 percent of guarantee
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Sulfur (free and combined)	0.2 unit+5 percent of guarantee
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Boron	0.003 unit+15 percent of guarantee
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Cobalt	0.0001 unit+30 percent of guarantee
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Chlorine	0.005 unit+10 percent of guarantee
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Copper	0.005 unit+10 percent of guarantee
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Iron	0.005 unit+10 percent of guarantee
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Manganese 0.005 unit+10 percent of guarantee
 Molybdenum 0.0001 unit+30 percent of guarantee
 Sodium 0.005 unit+10 percent of guarantee
 Zinc 0.005 unit+10 percent of guarantee

The maximum allowance for secondary and minor elements when calculated in accordance with this section is 1 unit (1 percent). In no case, however, may the investigational allowance exceed 50 percent of the amount guaranteed.

(e)~~(d)~~ Liming materials and gypsum.—

Investigational Allowances

Range Percent	Percent
0-10	0.30
Over 10-25	0.40
Over 25	0.50

(f)~~(e)~~ Pesticides in fertilizer mixtures.—An investigational allowance of 25 percent of the guarantee shall

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566 | be allowed on all pesticides when added to custom blend
 567 | fertilizers.

568 | Section 12. Subsection (2) of section 576.181, Florida
 569 | Statutes, is amended to read:

570 | 576.181 Administration; rules; procedure.—

571 | (2) The department may adopt rules ~~is authorized, by rule,~~
 572 | to implement, make specific, and interpret the provisions of
 573 | this chapter, and specifically to determine the composition and
 574 | uses of fertilizer as defined in this chapter, including, but
 575 | not limited to ~~without limiting the foregoing general terms,~~ the
 576 | taking and handling of samples, the establishment of
 577 | investigational allowances, deficiencies, matching criteria for
 578 | referee analysis, and penalties where not specifically provided
 579 | for in this chapter; to prohibit the sale or use in fertilizer
 580 | of any material proven to be detrimental to agriculture, public
 581 | health, or the environment, or of questionable value; to provide
 582 | for the incorporation into fertilizer of such other substances
 583 | as pesticides and proper labeling of such mixture; and to
 584 | prescribe the information which shall appear on the label other
 585 | than specifically set forth in this chapter.

586 | Section 13. Section 585.61, Florida Statutes, is amended
 587 | to read:

588 | 585.61 Animal disease diagnostic laboratory ~~laboratories.~~—

589 | (1) There is ~~hereby created and~~ established an animal
 590 | disease diagnostic laboratory in Osceola County ~~and Suwannee~~
 591 | ~~County. The laboratory complex in Osceola County is~~ designated
 592 | as the "Bronson Animal Disease Diagnostic Laboratory."

593 | (2) The construction and operation of ~~all~~ the laboratory

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594 ~~laboratories~~ established by this section shall be under the
595 supervision and control of the department. It shall be the duty
596 of the department to operate the laboratory ~~these laboratories~~
597 in an efficient manner so that any person who maintains animals
598 in this state may obtain prompt reliable diagnosis of animal
599 diseases, including any disease which may affect poultry eggs,
600 in this state, and recommendations for the control and
601 eradication of such diseases, to the end that diseases of
602 animals may be reduced and controlled, and eradicated when
603 possible.

604 (3) Any person who maintains animals in the state may use
605 the services of the laboratory ~~laboratories~~ under the terms of
606 this section and the rules adopted for such use by the
607 department. The department shall require any user of its
608 services to pay a fee not to exceed \$300 for any one of the
609 services requested. All laboratory fees collected shall be
610 deposited in the Animal Industry Diagnostic Laboratory Account
611 within the General Inspection Trust Fund. The fees collected
612 shall be used to improve the diagnostic laboratory services as
613 provided for by the Legislature in the General Appropriations
614 Act.

615 Section 14. Paragraph (f) of subsection (3) of section
616 586.10, Florida Statutes, is amended to read:

617 586.10 Powers and duties of department; preemption of
618 local government ordinances.—

619 (3) The department may:

620 (f) Inspect or cause to be inspected all apiaries in the
621 state at such intervals as it may deem best and keep a complete,

622 accurate, and current list of all inspected apiaries to include
 623 the:

- 624 1. Name of the apiary.
- 625 2. Name of the owner of the apiary.
- 626 3. Mailing address of the apiary owner.
- 627 4. Location of the apiary.
- 628 5. Number of hives in the apiary.
- 629 6. Pest problems associated with the apiary.
- 630 7. Brands used by beekeepers where applicable.

631
 632 Notwithstanding s. 112.313, an apiary inspector may be a
 633 certified beekeeper as long as the inspector does not inspect
 634 his or her own apiary.

635 Section 15. Section 589.02, Florida Statutes, is amended
 636 to read:

637 589.02 Headquarters and meetings of council.—The official
 638 headquarters of the council shall be in Tallahassee, but it may
 639 hold meetings at such other places in the state as it may
 640 determine by resolutions or as may be selected by a majority of
 641 the members of the council in any call for a meeting. ~~The annual~~
 642 ~~meeting of the council shall be held on the first Monday in~~
 643 ~~October of each year. Special meetings may be called at any time~~
 644 ~~by the chair or upon the written request of a majority of the~~
 645 ~~members.~~ The council shall annually elect from its members a
 646 chair, a vice chair, and a secretary. ~~The election shall be held~~
 647 ~~at the annual meeting of the council.~~ A majority of the members
 648 of the council shall constitute a quorum for such purposes.

649 Section 16. Subsection (4) of section 589.19, Florida

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650 Statutes, is amended to read:

651 589.19 Creation of certain state forests; naming of
 652 certain state forests; Operation Outdoor Freedom Program.—

653 (4) (a) To honor the nation's disabled veterans and injured
 654 active duty servicemembers, the Florida Forest Service shall
 655 coordinate efforts to develop an Operation Outdoor Freedom
 656 Program to provide hunting and other activities for eligible
 657 veterans and servicemembers in designated state forest areas and
 658 on designated public and private lands. The Legislature finds it
 659 to be in the public interest for the Florida Forest Service to
 660 develop partnerships with the Fish and Wildlife Conservation
 661 Commission and other public and private organizations in order
 662 to provide the needed resources and funding to make the program
 663 successful ~~The Florida Forest Service shall designate one or~~
 664 ~~more areas of state forests as an "Operation Outdoor Freedom~~
 665 ~~Special Hunt Area" to honor wounded veterans and servicemembers.~~
 666 ~~The purpose of such designated areas is to provide special~~
 667 ~~outdoor recreational opportunities for eligible veterans and~~
 668 ~~servicemembers.~~

669 (b) Participation in the Operation Outdoor Freedom Program
 670 shall be limited to Florida residents, as defined in s.
 671 379.101(30)(b), ~~The Florida Forest Service shall limit guest~~
 672 ~~admittance to such designated areas to any person who:~~

673 1. Are honorably discharged military veterans certified by
 674 the United States Department of Veterans Affairs or its
 675 predecessor or by any branch of the United States Armed Forces
 676 to be at least 30 percent permanently service-connected disabled
 677 ~~Is an active duty member of any branch of the United States~~

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678 ~~Armed Forces and has a combat-related injury as determined by~~
679 ~~his or her branch of the United States Armed Forces; or~~

680 2. Have been awarded the Military Order of the Purple
681 Heart; or Is a veteran who served during a period of wartime
682 service as defined in s. 1.01(14) or peacetime service as
683 defined in s. 296.02 and:

684 a. ~~Has a service-connected disability as determined by the~~
685 ~~United States Department of Veterans Affairs; or~~

686 b. ~~Was discharged or released from military service~~
687 ~~because of a disability acquired or aggravated while serving on~~
688 ~~active duty~~

689 3. Are active duty servicemembers with a service-connected
690 injury as determined by his or her branch of the United States
691 Armed Forces.

692
693 Proof of eligibility under this subsection, as prescribed by the
694 Florida Forest Service, may be required.

695 (c) Notwithstanding the eligibility requirements for
696 program participation in paragraph (b), guided or unguided
697 invitation-only activities may be conducted as part of the
698 Operation Outdoor Freedom Program for injured or disabled
699 veterans and injured or disabled active duty servicemembers of
700 any branch of the United States Armed Forces in designated state
701 forest areas and on designated public and private lands. The
702 Florida Forest Service may grant admittance to ~~such~~ designated
703 areas and lands to a person who is not an eligible veteran or
704 servicemember for the sole purpose ~~purposes~~ of accompanying an
705 eligible veteran or servicemember who requires the person's

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706 assistance to use such ~~designated~~ areas and lands.

707 (d) The Florida Forest Service may cooperate with state
708 and federal agencies, local governments, private landowners, and
709 other entities in connection with the Operation Outdoor Freedom
710 Program. Donations to the Operation Outdoor Freedom Program
711 ~~Funding required for specialized accommodations~~ shall be
712 deposited into the account of ~~provided through~~ the Friends of
713 Florida State Forests Program created under s. 589.012 and used
714 for Operation Outdoor Freedom Program activities.

715 (e)1. A private landowner who provides land for
716 designation and use as an Operation Outdoor Freedom Program
717 hunting site shall have limited liability pursuant to s.
718 375.251.

719 2. A private landowner who consents to the designation and
720 use of land as part of the Operation Outdoor Freedom Program
721 without compensation shall be considered a volunteer, as defined
722 in s. 110.501, and shall be covered by state liability
723 protection pursuant to s. 768.28, including s. 768.28(9).

724 3. This subsection does not:

725 a. Relieve any person of liability that would otherwise
726 exist for deliberate, willful, or malicious injury to persons or
727 property.

728 b. Create or increase the liability of any person.

729 (f) The Legislature shall designate the second Saturday of
730 each November as Operation Outdoor Freedom Day.

731 (g) ~~(e)~~ The Florida Forest Service may adopt rules to
732 administer this subsection.

733 Section 17. Section 589.30, Florida Statutes, is amended

734 to read:

735 589.30 Duty of district or center manager ~~forester~~.—It
 736 shall be the duty of the district or center manager ~~forester~~ to
 737 direct all work in accordance with the law and regulations of
 738 the Florida Forest Service; gather and disseminate information
 739 in the management of commercial timber, including establishment,
 740 protection and utilization; and assist in the development and
 741 use of forest lands for outdoor recreation, watershed
 742 protection, and wildlife habitat. The district or center manager
 743 ~~forester~~ or his or her representative shall provide
 744 encouragement and technical assistance to individuals and urban
 745 and county officials in the planning, establishment, and
 746 management of trees and plant associations to enhance the beauty
 747 of the urban and suburban environment and meet outdoor
 748 recreational needs.

749 Section 18. Subsections (1), (2), (3), (7), and (10) of
 750 section 590.02, Florida Statutes, are amended to read:

751 590.02 Florida Forest Service; powers, authority, and
 752 duties; liability; building structures; Florida Center for
 753 Wildfire and Forest Resources Management Training.—

754 (1) The Florida Forest Service has the following powers,
 755 authority, and duties:

756 (a) To enforce the provisions of this chapter;

757 (b) To prevent, detect, and suppress, ~~and extinguish~~
 758 wildfires wherever they may occur on public or private land in
 759 this state and to do all things necessary in the exercise of
 760 such powers, authority, and duties;

761 (c) To provide firefighting crews, who shall be under the

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762 control and direction of the Florida Forest Service and its
763 designated agents;

764 (d) To appoint center managers, forest area supervisors,
765 forestry program administrators, a forest protection bureau
766 chief, a forest protection assistant bureau chief, a field
767 operations bureau chief, deputy chiefs of field operations,
768 district managers, forest operations administrators, senior
769 forest rangers, investigators, forest rangers, firefighter
770 rotorcraft pilots, and other employees who may, at the Florida
771 Forest Service's discretion, be certified as forestry
772 firefighters pursuant to s. 633.35(4). Other provisions of law
773 notwithstanding, center managers, district managers, forest
774 protection assistant bureau chief, and deputy chiefs of field
775 operations shall have Selected Exempt Service status in the
776 state personnel designation;

777 (e) To develop a training curriculum for forestry
778 firefighters which must contain the basic volunteer structural
779 fire training course approved by the Florida State Fire College
780 of the Division of State Fire Marshal and a minimum of 250 hours
781 of wildfire training;

782 (f) To make rules to accomplish the purposes of this
783 chapter;

784 (g) To provide fire management services and emergency
785 response assistance and to set and charge reasonable fees for
786 performance of those services. Moneys collected from such fees
787 shall be deposited into the Incidental Trust Fund of the Florida
788 Forest Service; ~~and~~

789 (h) To require all state, regional, and local government

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790 agencies operating aircraft in the vicinity of an ongoing
791 wildfire to operate in compliance with the applicable state
792 Wildfire Aviation Plan; and

793 (i) To authorize broadcast burning, prescribed burning,
794 pile burning, and land clearing debris burning to carry out the
795 duties of this chapter and the rules adopted thereunder.

796 (2) The Florida Forest Service's employees, and the
797 firefighting crews under their control and direction, may enter
798 upon any lands for the purpose of preventing, detecting, and
799 suppressing wildfires and investigating smoke complaints or open
800 burning not in compliance with authorization and to enforce the
801 provisions of this chapter.

802 (3) Employees of the Florida Forest Service and of
803 federal, state, and local agencies, and all other persons and
804 entities that are under contract or agreement with the Florida
805 Forest Service to assist in firefighting operations as well as
806 those entities, called upon by the Florida Forest Service to
807 assist in firefighting may, in the performance of their duties,
808 set counterfires, remove fences and other obstacles, dig
809 trenches, cut firelines, use water from public and private
810 sources, and carry on all other customary activities in the
811 fighting of wildfires without incurring liability to any person
812 or entity. The manner in which the Florida Forest Service
813 monitors a smoldering wildfire, smoldering prescribed fire, or
814 fights any wildfire are planning level activities for which
815 sovereign immunity applies and is not waived.

816 (7) The Florida Forest Service may organize, staff, equip,
817 and operate the Florida ~~Center for Wildfire and Forest Resources~~

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818 ~~Management~~ Training Center. The center shall serve as a site
819 where fire and forest resource managers can obtain current
820 knowledge, techniques, skills, and theory as they relate to
821 their respective disciplines.

822 (a) The center may establish cooperative efforts involving
823 federal, state, and local entities; hire appropriate personnel;
824 and engage others by contract or agreement with or without
825 compensation to assist in carrying out the training and
826 operations of the center.

827 (b) The center shall provide wildfire suppression training
828 opportunities for rural fire departments, volunteer fire
829 departments, and other local fire response units.

830 (c) The center will focus on curriculum related to, but
831 not limited to, fuel reduction, an incident management system,
832 prescribed burning certification, multiple-use land management,
833 water quality, forest health, environmental education, and
834 wildfire suppression training for structural firefighters.

835 (d) The center may assess appropriate fees for food,
836 lodging, travel, course materials, and supplies in order to meet
837 its operational costs and may grant free meals, room, and
838 scholarships to persons and other entities in exchange for
839 instructional assistance.

840 ~~(e) An advisory committee consisting of the following~~
841 ~~individuals or their designees must review program curriculum,~~
842 ~~course content, and scheduling: the director of the Florida~~
843 ~~Forest Service; the assistant director of the Florida Forest~~
844 ~~Service; the director of the School of Forest Resources and~~
845 ~~Conservation of the University of Florida; the director of the~~

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846 ~~Division of Recreation and Parks of the Department of~~
847 ~~Environmental Protection; the director of the Division of the~~
848 ~~State Fire Marshal; the director of the Florida Chapter of The~~
849 ~~Nature Conservancy; the executive vice president of the Florida~~
850 ~~Forestry Association; the president of the Florida Farm Bureau~~
851 ~~Federation; the executive director of the Fish and Wildlife~~
852 ~~Conservation Commission; the executive director of a water~~
853 ~~management district as appointed by the Commissioner of~~
854 ~~Agriculture; the supervisor of the National Forests in Florida;~~
855 ~~the president of the Florida Fire Chief's Association; and the~~
856 ~~executive director of the Tall Timbers Research Station.~~

857 (10) (a) Notwithstanding the provisions of s. 252.38, the
858 Florida Forest Service has exclusive authority to require and
859 issue authorizations for broadcast burning and agricultural and
860 silvicultural pile burning. An agency, commission, department,
861 county, municipality, or other political subdivision of the
862 state may not adopt or enforce laws, regulations, rules, or
863 policies pertaining to broadcast burning or agricultural and
864 silvicultural pile burning ~~unless an emergency order is declared~~
865 ~~in accordance with s. 252.38(3).~~

866 (b) The Florida Forest Service may delegate to a county,
867 ~~or~~ municipality, or special district its authority:7

868 1. As delegated by the Department of Environmental
869 Protection pursuant to ss. 403.061(28) and 403.081, to manage
870 and enforce regulations pertaining to ~~require and issue~~
871 ~~authorizations for the burning of yard trash and debris from~~
872 ~~land clearing operations~~ in accordance with s. 590.125(6).

873 2. To manage the open burning of land clearing debris in

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874 accordance with s. 590.125.

875 Section 19. Subsection (1) of section 590.11, Florida
876 Statutes, is amended to read:

877 590.11 Recreational fires.—

878 (1) It is unlawful for any individual or group of
879 individuals to build a warming fire, bonfire, or campfire and
880 leave it unattended while visible flame, smoke, or emissions
881 exist unextinguished.

882 Section 20. Subsections (1) and (2), paragraphs (b) and
883 (c) of subsection (3), and paragraph (a) of subsection (4) of
884 section 590.125, Florida Statutes, are amended to read:

885 590.125 Open burning authorized by the Florida Forest
886 Service.—

887 (1) DEFINITIONS.—As used in this section, the term:

888 (a) "Certified pile burner" means an individual who
889 successfully completes the pile burning certification program of
890 the Florida Forest Service and possesses a valid pile burner
891 certification number.

892 (b) "Certified pile burning" means a pile burn conducted
893 in accordance with a written pile burning plan by a certified
894 pile burner.

895 (c) ~~(b)~~ "Certified prescribed burn manager" means an
896 individual who successfully completes the certified prescribed
897 burning program of the Florida Forest Service and possesses a
898 valid certification number.

899 (d) "Certified prescribed burning" means prescribed
900 burning in accordance with a written prescription conducted by a
901 certified prescribed burn manager.

902 (e) "Contained" means that fire and smoldering exist
 903 entirely within established or natural firebreaks.

904 ~~(f)-(e)~~ "Completed" ~~"Extinguished"~~ means that for:

905 1. Broadcast burning, no continued lateral movement of
 906 fire across the authorized area into entirely unburned fuels
 907 ~~Wildland burning or certified prescribed burning, no spreading~~
 908 ~~flames exist.~~

909 2. Certified pile ~~Vegetative land-clearing debris~~ burning
 910 or pile burning, no visible flames exist.

911 3. Certified pile ~~Vegetative land-clearing debris~~ burning
 912 or pile burning in an area designated as smoke sensitive by the
 913 Florida Forest Service, no visible flames, smoke, or emissions
 914 exist.

915 (g) "Gross negligence" means conduct so reckless or
 916 wanting in care that it constitutes a conscious disregard or
 917 indifference to the life, safety, or rights of persons exposed
 918 to such conduct.

919 ~~(d) "Land-clearing operation" means the uprooting or~~
 920 ~~clearing of vegetation in connection with the construction of~~
 921 ~~buildings and rights-of-way, land development, and mineral~~
 922 ~~operations. The term does not include the clearing of yard~~
 923 ~~trash.~~

924 (h)-(e) "Pile burning" means the burning of silvicultural,
 925 agricultural, or land-clearing, or ~~and~~ tree-cutting debris
 926 originating onsite, which is stacked together in a round or
 927 linear fashion, including, but not limited to, a windrow. Pile
 928 burning authorized by the Florida Forest Service is a temporary
 929 procedure, which operates on the same site for 6 months or less.

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930 (i) "Pile burn plan" means a written plan establishing the
931 method of conducting a certified pile burn.

932 (j)~~(f)~~ "Prescribed burning" means the ~~controlled~~
933 application of fire by broadcast burning ~~in accordance with a~~
934 ~~written prescription~~ for vegetative fuels under specified
935 environmental conditions, while following appropriate
936 precautionary measures that ensure that the fire is contained
937 within ~~confined to~~ a predetermined area to accomplish the
938 planned fire or land management objectives.

939 (k)~~(g)~~ "Prescription" means a written plan establishing
940 the conditions and method for conducting ~~criteria necessary for~~
941 ~~starting, controlling, and extinguishing~~ a certified prescribed
942 burn.

943 (l) "Smoldering" means the continued consumption of fuels,
944 which may emit flames and smoke, after a fire is contained.

945 (m)~~(h)~~ "Yard trash" means vegetative matter resulting from
946 landscaping and yard maintenance operations and other such
947 routine property cleanup activities. The term includes materials
948 such as leaves, shrub trimmings, grass clippings, brush, and
949 palm fronds.

950 (2) NONCERTIFIED BURNING.—

951 (a) Persons may be authorized to broadcast burn or pile
952 ~~burn wild land or vegetative land-clearing debris~~ in accordance
953 with this subsection if:

954 1. There is specific consent of the landowner or his or
955 her designee;

956 2. Authorization has been obtained from the Florida Forest
957 Service or its designated agent before starting the burn;

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958 3. There are adequate firebreaks at the burn site and
 959 sufficient personnel and firefighting equipment for the
 960 containment ~~control~~ of the fire;

961 4. The fire remains within the boundary of the authorized
 962 area;

963 5. The person named responsible in the burn authorization
 964 or a designee ~~An authorized person~~ is present at the burn site
 965 until the fire is completed ~~extinguished~~;

966 6. The Florida Forest Service does not cancel the
 967 authorization; and

968 7. The Florida Forest Service determines that air quality
 969 and fire danger are favorable for safe burning.

970 (b) A person who broadcast burns or pile burns ~~wild land~~
 971 ~~or vegetative land-clearing debris~~ in a manner that violates any
 972 requirement of this subsection commits a misdemeanor of the
 973 second degree, punishable as provided in s. 775.082 or s.
 974 775.083.

975 (3) CERTIFIED PRESCRIBED BURNING; LEGISLATIVE FINDINGS AND
 976 PURPOSE.—

977 (b) Certified prescribed burning pertains only to
 978 broadcast burning for purposes of silviculture, wildland fire
 979 hazard reduction, wildlife management, ecological maintenance
 980 and restoration, and agriculture ~~range and pasture management~~.
 981 It must be conducted in accordance with this subsection and:

982 1. May be accomplished only when a certified prescribed
 983 burn manager is present on site with a copy of the prescription
 984 and directly supervises the certified prescribed burn until the
 985 burn is completed, after which the certified prescribed burn

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986 manager is not required to be present from ignition of the burn
987 to its completion.

988 2. Requires that a written prescription be prepared before
989 receiving authorization to burn from the Florida Forest Service.

990 a. A new prescription or authorization is not required for
991 smoldering that occurs within the authorized burn area when no
992 new ignitions are conducted by the certified prescribed burn
993 manager.

994 b. Monitoring the smoldering activity of a certified
995 prescribed burn does not require a prescription or an additional
996 authorization even if flames begin to spread within the
997 authorized burn area due to ongoing smoldering.

998 3. Requires that the specific consent of the landowner or
999 his or her designee be obtained before requesting an
1000 authorization.

1001 4. Requires that an authorization to burn be obtained from
1002 the Florida Forest Service before igniting the burn.

1003 5. Requires that there be adequate firebreaks at the burn
1004 site and sufficient personnel and firefighting equipment to
1005 contain for the control of the fire within the authorized burn
1006 area.

1007 a. Fire spreading outside the authorized burn area on the
1008 day of the certified prescribed burn ignition does not
1009 constitute conclusive proof of inadequate firebreaks,
1010 insufficient personnel, or a lack of firefighting equipment.

1011 b. During the authorization period, if the certified
1012 prescribed burn is contained within the authorized burn area, a
1013 strong rebuttable presumption shall exist that adequate

1014 firebreaks, sufficient personnel, and sufficient firefighting
 1015 equipment were present.

1016 c. Continued smoldering of a certified prescribed burn
 1017 resulting in a subsequent wildfire does not by itself constitute
 1018 evidence of gross negligence under this section.

1019 6. Is considered to be in the public interest and does not
 1020 constitute a public or private nuisance when conducted under
 1021 applicable state air pollution statutes and rules.

1022 7. Is considered to be a property right of the property
 1023 owner if vegetative fuels are burned as required in this
 1024 subsection.

1025 (c) ~~Neither~~ A property owner, ~~nor~~ his or her agent,
 1026 contractor, or legally authorized designee is not liable
 1027 pursuant to s. 590.13 for damage or injury caused by the fire,
 1028 including the reignition of a smoldering, previously contained
 1029 burn, or resulting smoke or considered to be in violation of
 1030 subsection (2) for burns conducted in accordance with this
 1031 subsection, unless gross negligence is proven. The Florida
 1032 Forest Service is not liable for burns for which it issues
 1033 authorizations.

1034 (4) CERTIFIED PILE BURNING.—

1035 (a) Certified pile burning pertains to the disposal of
 1036 piled, naturally occurring debris from an agricultural,
 1037 silvicultural, ~~or temporary~~ land-clearing, or tree cutting
 1038 debris originating on site operation. A land-clearing operation
 1039 ~~is temporary if it operates for 6 months or less.~~ Certified pile
 1040 burning must be conducted in accordance with the following:

1041 1. A certified pile burner must ensure, before ignition,

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1042 that the piles are properly placed and that the content of the
 1043 piles is conducive to efficient burning.

1044 2. A certified pile burner must ensure that the authorized
 1045 burn is completed ~~piles are properly extinguished~~ no later than
 1046 1 hour after sunset. If the burn is conducted in an area
 1047 designated by the Florida Forest Service as smoke sensitive, a
 1048 certified pile burner must ensure that the authorized burn is
 1049 completed ~~piles are properly extinguished~~ at least 1 hour before
 1050 sunset.

1051 3. A written pile burning plan must be prepared before
 1052 receiving authorization from the Florida Forest Service to burn
 1053 and must be on site and available for inspection by a department
 1054 representative.

1055 4. The specific consent of the landowner or his or her
 1056 agent must be obtained before requesting authorization to burn.

1057 5. An authorization to burn must be obtained from the
 1058 Florida Forest Service or its designated agent before igniting
 1059 the burn.

1060 6. There must be adequate firebreaks and sufficient
 1061 personnel and firefighting equipment at the burn site to contain
 1062 the burn to the piles authorized ~~control the fire.~~

1063 Section 21. Section 590.25, Florida Statutes, is amended
 1064 to read:

1065 590.25 Penalty for ~~preventing or~~ obstructing the
 1066 prevention, detection, or suppression ~~extinguishment~~ of
 1067 wildfires.—Whoever interferes ~~shall interfere~~ with, obstructs
 1068 ~~obstruct~~ or commits ~~commit~~ any act aimed to obstruct the
 1069 prevention, detection, or suppression ~~extinguishment~~ of

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1070 wildfires by the employees of the Florida Forest Service or any
1071 other person engaged in the prevention, detection, or
1072 suppression ~~extinguishment~~ of a wildfire, or who damages or
1073 destroys any equipment being used for such purpose, commits
1074 ~~shall be guilty of~~ a felony of the third degree, punishable as
1075 provided in s. 775.082, s. 775.083, or s. 775.084.

1076 Section 22. Chapter 595, Florida Statutes, is created,
1077 shall consist of sections 595.401-595.701, Florida Statutes, and
1078 shall be entitled "School Food and Nutrition Services."

1079 Section 23. Section 595.401, Florida Statutes, is created
1080 to read:

1081 595.401 Short title.—This chapter may be cited as the
1082 "Florida School Food and Nutrition Act."

1083 Section 24. Section 595.402, Florida Statutes, is created
1084 to read:

1085 595.402 Definitions.—As used in this chapter, the term:

1086 (1) "Commissioner" means the Commissioner of Agriculture.

1087 (2) "Department" means the Department of Agriculture and
1088 Consumer Services.

1089 (3) "Program" means any one or more of the school food and
1090 nutrition service programs that the department has
1091 responsibility over including, but not limited to, the National
1092 School Lunch Program, the Special Milk Program, the School
1093 Breakfast Program, the Summer Food Service Program, the Fresh
1094 Fruit and Vegetable Program, and any other program that relates
1095 to school nutrition.

1096 (4) "School district" means any of the 67 county school
1097 districts, including the respective district school board.

1098 (5) "Sponsor" means any entity that is conducting a
 1099 program under a current agreement with the department.

1100 Section 25. Section 595.403, Florida Statutes, is created
 1101 to read:

1102 595.403 State policy.—The Legislature, in recognition of
 1103 the demonstrated relationship between good nutrition and the
 1104 capacity of students to develop and learn, declares that it is
 1105 the policy of the state to provide standards for school food and
 1106 nutrition services and to require each school district to
 1107 establish and maintain an appropriate school food and nutrition
 1108 service program consistent with the nutritional needs of
 1109 students. To implement that policy, the state shall provide
 1110 funds to meet the state National School Lunch Act matching
 1111 requirements. The funds provided shall be distributed in such a
 1112 manner as to comply with the requirements of the National School
 1113 Lunch Act.

1114 Section 26. Section 570.98, Florida Statutes, is
 1115 transferred, renumbered as section 595.404, Florida Statutes,
 1116 and amended to read:

1117 595.404 ~~570.98~~ School food and nutrition service program;
 1118 powers and duties of the department ~~programs.~~

1119 ~~(1)~~ The department has the following powers and duties:
 1120 ~~shall~~

1121 (1) To conduct, supervise, and administer the program ~~all~~
 1122 school food and nutrition programs that will be carried out
 1123 using federal or state funds, or funds from any other source.

1124 (2) To fully ~~The department shall~~ cooperate fully with the
 1125 United States Government and its agencies and instrumentalities

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1126 so that the department may receive the benefit of all federal
1127 financial allotments and assistance possible to carry out the
1128 purposes of this chapter.

1129 (3) To implement and adopt by rule, as required, federal
1130 regulations to maximize federal assistance for the program. The
1131 ~~department may~~

1132 (4) To act as agent of, or contract with, the Federal
1133 Government, another state agency, or any county or municipal
1134 government, or sponsor for the administration of the program
1135 ~~school food and nutrition programs~~, including the distribution
1136 of funds provided by the Federal Government to support the
1137 program school food and nutrition programs.

1138 (5) To make a reasonable effort to ensure that any school
1139 designated as a "severe need school" receives the highest rate
1140 of reimbursement to which it is entitled under 42 U.S.C. s. 1773
1141 for each breakfast meal served.

1142 (6) To develop and propose legislation necessary to
1143 implement the program, encourage the development of innovative
1144 school food and nutrition services, and expand participation in
1145 the program.

1146 (7) To annually allocate among the sponsors, as
1147 applicable, funds provided from the school breakfast supplement
1148 in the General Appropriations Act based on each district's total
1149 number of free and reduced-price breakfast meals served.

1150 (8) To employ such persons as are necessary to perform its
1151 duties under this chapter.

1152 (9) To adopt rules covering the administration, operation,
1153 and enforcement of the program as well as to implement the

1154 provisions of this chapter.

1155 (10) To adopt and implement an appeal process by rule, as
 1156 required by federal regulations, for applicants and participants
 1157 under the program, notwithstanding s. 120.569 and ss. 120.57-
 1158 120.595.

1159 (11) To assist, train, and review each sponsor in its
 1160 implementation of the program.

1161 (12) To advance funds from the program's annual
 1162 appropriation to sponsors, when requested, in order to implement
 1163 the provisions of this chapter and in accordance with federal
 1164 regulations.

1165 Section 27. Subsections (1) through (5) of section
 1166 570.981, Florida Statutes, are transferred, renumbered as
 1167 section 595.405, Florida Statutes, and amended to read:

1168 595.405 ~~570.981~~ Program requirements for school districts
 1169 and sponsors food service programs.-

1170 ~~(1) In recognition of the demonstrated relationship~~
 1171 ~~between good nutrition and the capacity of students to develop~~
 1172 ~~and learn, it is the policy of the state to provide standards~~
 1173 ~~for school food service and to require district school boards to~~
 1174 ~~establish and maintain an appropriate private school food~~
 1175 ~~service program consistent with the nutritional needs of~~
 1176 ~~students.-~~

1177 ~~(2) The department shall adopt rules covering the~~
 1178 ~~administration and operation of the school food service~~
 1179 ~~programs.-~~

1180 (1)(3) Each school district ~~school board~~ shall consider
 1181 the recommendations of the district school superintendent and

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1182 adopt policies to provide for an appropriate food and nutrition
1183 service program for students consistent with federal law and
1184 department rules ~~rule~~.

1185 ~~(4) The state shall provide the state National School~~
1186 ~~Lunch Act matching requirements. The funds provided shall be~~
1187 ~~distributed in such a manner as to comply with the requirements~~
1188 ~~of the National School Lunch Act.~~

1189 ~~(2)(5)(a)~~ Each school district ~~school board~~ shall
1190 implement school breakfast programs that make breakfast meals
1191 available to all students in each elementary school. Universal
1192 school breakfast programs shall be offered in schools in which
1193 80 percent or more of the students are eligible for free or
1194 reduced-price meals. Each school shall, to the maximum extent
1195 practicable, make breakfast meals available to students at an
1196 alternative site location, which may include, but need not be
1197 limited to, alternative breakfast options as described in
1198 publications of the Food and Nutrition Service of the United
1199 States Department of Agriculture for the federal School
1200 Breakfast Program.

1201 ~~(3)(b)~~ Each school district must annually set prices for
1202 breakfast meals at rates that, combined with federal
1203 reimbursements and state allocations, are sufficient to defray
1204 costs of school breakfast programs without requiring allocations
1205 from the district's operating funds, except if the district
1206 school board approves lower rates.

1207 ~~(4)(e)~~ Each school district ~~school board~~ is encouraged to
1208 provide universal-free school breakfast meals to all students in
1209 each elementary, middle, and high school. Each school district

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1210 ~~school board~~ shall approve or disapprove a policy, after
1211 receiving public testimony concerning the proposed policy at two
1212 or more regular meetings, which makes universal-free school
1213 breakfast meals available to all students in each elementary,
1214 middle, and high school in which 80 percent or more of the
1215 students are eligible for free or reduced-price meals.

1216 (5)~~(d)~~ Each elementary, middle, and high school shall make
1217 a breakfast meal available if a student arrives at school on the
1218 ~~school~~ bus less than 15 minutes before the first bell rings and
1219 shall allow the student at least 15 minutes to eat the
1220 breakfast.

1221 (6)~~(e)~~ Each school district shall annually provide to all
1222 students in each elementary, middle, and high school information
1223 prepared by the district's food service administration regarding
1224 its school breakfast programs. The information shall be
1225 communicated through school announcements and written notices
1226 ~~notice~~ sent to all parents.

1227 (7)~~(f)~~ A school district ~~school board~~ may operate a
1228 breakfast program providing for food preparation at the school
1229 site or in central locations with distribution to designated
1230 satellite schools or any combination thereof.

1231 (8) Each sponsor shall complete all corrective action
1232 plans required by the department or a federal agency to be in
1233 compliance with the program.

1234 ~~(g) The commissioner shall make every reasonable effort to~~
1235 ~~ensure that any school designated as a "severe need school"~~
1236 ~~receives the highest rate of reimbursement to which it is~~
1237 ~~entitled under 42 U.S.C. s. 1773 for each breakfast meal served.~~

1238 ~~(h) The department shall annually allocate among the~~
 1239 ~~school districts funds provided from the school breakfast~~
 1240 ~~supplement in the General Appropriations Act based on each~~
 1241 ~~district's total number of free and reduced-price breakfast~~
 1242 ~~meals served.~~

1243 Section 28. Subsection (6) of section 570.981, Florida
 1244 Statutes, is transferred, renumbered as section 595.406, Florida
 1245 Statutes, and amended to read:

1246 595.406 ~~570.981~~ Florida Farm Fresh Schools Program School
 1247 ~~food service programs.-~~

1248 ~~(6) The Legislature, recognizing that school children need~~
 1249 ~~nutritious food not only for healthy physical and intellectual~~
 1250 ~~development but also to combat diseases related to poor~~
 1251 ~~nutrition and obesity, establishes the Florida Farm Fresh~~
 1252 ~~Schools Program within the department. The program shall comply~~
 1253 ~~with the regulations of the National School Lunch Program and~~
 1254 ~~require:~~

1255 (1)(a) In order to implement the Florida Farm Fresh
 1256 Schools Program, the department shall ~~to~~ develop policies
 1257 pertaining to school food services which encourage:

1258 (a)1. Sponsors School districts to buy fresh and high-
 1259 quality foods grown in this state when feasible.

1260 (b)2. Farmers in this state to sell their products to
 1261 sponsors, school districts, and schools.

1262 (c)3. Sponsors School districts and schools to demonstrate
 1263 a preference for competitively priced organic food products.

1264 (d)(b) Sponsors School districts and schools to make
 1265 reasonable efforts to select foods based on a preference for

1266 those that have maximum nutritional content.

1267 (2)~~(e)~~ The department shall ~~to~~ provide outreach, guidance,
 1268 and training to sponsors ~~school districts~~, schools, school food
 1269 service directors, parent and teacher organizations, and
 1270 students about the benefit ~~benefits~~ of fresh food products from
 1271 farms in this state.

1272 Section 29. Section 570.982, Florida Statutes, is
 1273 transferred, renumbered as section 595.407, Florida Statutes,
 1274 and amended to read:

1275 595.407 ~~570.982~~ Children's summer nutrition program.-

1276 (1) This section may be cited as the "Ms. Willie Ann Glenn
 1277 Act."

1278 (2) Each school district ~~school board~~ shall develop a plan
 1279 to sponsor a summer nutrition program to operate sites in the
 1280 school district as follows:

1281 (a) Within 5 miles of at least one elementary school at
 1282 which 50 percent or more of the students are eligible for free
 1283 or reduced-price school meals and for the duration of 35
 1284 consecutive days. ~~and~~

1285 (b) ~~Except as operated pursuant to paragraph (a),~~ Within
 1286 10 miles of each elementary school at which 50 percent or more
 1287 of the students are eligible for free or reduced-price school
 1288 meals, except as operated pursuant to paragraph (a).

1289 (3) (a) A school district ~~school board~~ may be exempt from
 1290 sponsoring a summer nutrition program pursuant to this section.
 1291 A school district ~~school board~~ seeking such exemption must
 1292 include the issue on an agenda at a regular or special school
 1293 district ~~school board~~ meeting that is publicly noticed, provide

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1294 residents an opportunity to participate in the discussion, and
1295 vote on whether to be exempt from this section. The school
1296 district ~~school board~~ shall notify the department commissioner
1297 within 10 days after it decides to become exempt from this
1298 section.

1299 (b) Each year, the school district ~~school board~~ shall
1300 reconsider its decision to be exempt from the provisions of this
1301 section and shall vote on whether to continue the exemption from
1302 sponsoring a summer nutrition program. The school district
1303 ~~school board~~ shall notify the department commissioner within 10
1304 days after each subsequent year's decision to continue the
1305 exemption.

1306 (c) If a school district ~~school board~~ elects to be exempt
1307 from sponsoring a summer nutrition program under this section,
1308 the school district ~~school board~~ may encourage not-for-profit
1309 entities to sponsor the program. If a not-for-profit entity
1310 chooses to sponsor the summer nutrition program but fails to
1311 perform with regard to the program, ~~the district school board,~~
1312 the school district, and the department are not required to
1313 continue the program and shall be held harmless from any
1314 liability arising from the discontinuation of the summer
1315 nutrition program.

1316 (4) The superintendent of schools may collaborate with
1317 municipal and county governmental agencies and private, not-for-
1318 profit leaders in implementing the plan. Although schools have
1319 proven to be the optimal site for a summer nutrition program,
1320 any not-for-profit entity may serve as a site or sponsor. By
1321 April 15 of each year, each school district with a summer

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1322 nutrition program shall report to the department the district's
 1323 summer nutrition program sites in compliance with this section.

1324 (5) The department shall provide to each school district
 1325 ~~school board~~ by February 15 of each year a list of local
 1326 organizations that have filed letters of intent to participate
 1327 in the summer nutrition program in order that a school district
 1328 ~~may school board is able to~~ determine how many sites are needed
 1329 to serve the children and where to place each site.

1330 Section 30. Section 570.072, Florida Statutes, is
 1331 transferred, renumbered as section 595.408, Florida Statutes,
 1332 and amended to read:

1333 595.408 ~~570.072~~ Commodity distribution services;
 1334 ~~responsibility of~~ department responsibilities and functions.-

1335 (1) (a) The department shall conduct, supervise, and
 1336 administer all commodity distribution services that will be
 1337 carried on using federal or state funds, or funds from any other
 1338 source, or commodities received and distributed from the United
 1339 States or any of its agencies.

1340 (b) The department shall determine the benefits each
 1341 applicant or recipient of assistance is entitled to receive
 1342 under this chapter, provided that each applicant or recipient is
 1343 a resident of this state and a citizen of the United States or
 1344 is an alien lawfully admitted for permanent residence or
 1345 otherwise permanently residing in the United States under color
 1346 of law.

1347 (2) The department shall cooperate fully with the United
 1348 States Government and its agencies and instrumentalities so that
 1349 the department may receive the benefit of all federal financial

1350 allotments and assistance possible to carry out the purposes of
 1351 this chapter.

1352 (3) The department may:

1353 (a) Accept any duties with respect to commodity
 1354 distribution services as are delegated to it by an agency of the
 1355 federal government or any state, county, or municipal
 1356 government.~~†~~

1357 (b) Act as agent of, or contract with, the federal
 1358 government, state government, or any county or municipal
 1359 government in the administration of commodity distribution
 1360 services to secure the benefits of any public assistance that is
 1361 available from the federal government or any of its agencies,
 1362 and in the distribution of funds received from the federal
 1363 government, state government, or any county or municipal
 1364 government for commodity distribution services within the
 1365 state.~~†~~ and

1366 (c) Accept from any person or organization all offers of
 1367 personal services, commodities, or other aid or assistance.

1368 (4) This chapter does not limit, abrogate, or abridge the
 1369 powers and duties of any other state agency.

1370 Section 31. Section 595.501, Florida Statutes, is created
 1371 to read:

1372 595.501 Penalties.-Any person, sponsor, or school district
 1373 that violates any provision of this chapter or any rule adopted
 1374 thereunder or otherwise does not comply with the program is
 1375 subject to a suspension or revocation of their agreement, loss
 1376 of reimbursement, or a financial penalty in accordance with
 1377 federal or state law or both. This section does not restrict the

1378 | applicability of any other law.

1379 | Section 32. Section 570.983, Florida Statutes, is
1380 | transferred, renumbered as section 595.601, Florida Statutes,
1381 | and amended to read:

1382 | 595.601 ~~570.983~~ Food and Nutrition Services Trust Fund.—
1383 | Chapter 99-37, Laws of Florida, recreated the Food and Nutrition
1384 | Services Trust Fund to record revenue and disbursements of
1385 | Federal Food and Nutrition funds received by the department as
1386 | authorized in s. 595.405 ~~570.981~~.

1387 | Section 33. Section 570.984, Florida Statutes, is
1388 | transferred and renumbered as section 595.701, Florida Statutes,
1389 | to read:

1390 | 595.701 ~~570.984~~ Healthy Schools for Healthy Lives
1391 | Council.—

1392 | (1) There is created within the Department of Agriculture
1393 | and Consumer Services the Healthy Schools for Healthy Lives
1394 | Council, which shall consist of 11 members appointed by the
1395 | Commissioner of Agriculture. The council shall advise the
1396 | department on matters relating to nutritional standards and the
1397 | prevention of childhood obesity, nutrition education,
1398 | anaphylaxis, and other needs to further the development of the
1399 | various school nutrition programs.

1400 | (2) The meetings, powers, duties, procedures, and
1401 | recordkeeping of the Healthy Schools for Healthy Lives Council
1402 | shall be governed by s. 570.0705, relating to advisory
1403 | committees established within the department.

1404 | Section 34. Subsection (16) of section 1001.42, Florida
1405 | Statutes, is amended to read:

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1406 1001.42 Powers and duties of district school board.—The
 1407 district school board, acting as a board, shall exercise all
 1408 powers and perform all duties listed below:

1409 (16) SCHOOL LUNCH PROGRAM.—Assume such responsibilities
 1410 and exercise such powers and perform such duties as may be
 1411 assigned to it by law or as may be required by rules of the
 1412 Department of Agriculture and Consumer Services ~~State Board of~~
 1413 ~~Education~~ or, as in the opinion of the district school board,
 1414 are necessary to ensure school lunch services, consistent with
 1415 needs of students; effective and efficient operation of the
 1416 program; and the proper articulation of the school lunch program
 1417 with other phases of education in the district.

1418 Section 35. Subsection (1) of section 1003.453, Florida
 1419 Statutes, is amended to read:

1420 1003.453 School wellness and physical education policies;
 1421 nutrition guidelines.—

1422 (1) Each school district shall electronically submit ~~to~~
 1423 ~~the Department of Education a copy of its~~ local school wellness
 1424 policy to the Department of Agriculture and Consumer Services ~~as~~
 1425 ~~required by the Child Nutrition and WIC Reauthorization Act of~~
 1426 ~~2004 and a copy of its~~ physical education policy required under
 1427 s. 1003.455 to the Department of Education. Each school district
 1428 shall annually review its local school wellness policy and
 1429 physical education policy and provide a procedure for public
 1430 input and revisions. In addition, each school district shall
 1431 provide its revised local school ~~send an updated copy of its~~
 1432 wellness policy and revised physical education policy to the
 1433 applicable department ~~and to the Department of Agriculture and~~

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1434 ~~Consumer Services~~ when a change or revision is made.

1435 Section 36. Sections 487.0615, 570.382, 570.97, and
 1436 590.50, Florida Statutes, are repealed.

1437 Section 37. Subsection (5) of section 487.041, Florida
 1438 Statutes, is amended to read:

1439 487.041 Registration.—

1440 ~~(5) The department shall provide summary information to~~
 1441 ~~the Pesticide Review Council regarding applications for~~
 1442 ~~registration of those pesticides for which data received in the~~
 1443 ~~registration process indicate that the pesticide, when used~~
 1444 ~~according to label instructions and precautions, may have a~~
 1445 ~~significant potential for adverse effects on human health or the~~
 1446 ~~environment. The council shall be kept apprised of the status of~~
 1447 ~~these applications while under review and of the final action by~~
 1448 ~~the Commissioner of Agriculture regarding the registration of~~
 1449 ~~these pesticides.~~

1450 Section 38. Paragraph (b) of subsection (8) of section
 1451 550.2625, Florida Statutes, is amended to read:

1452 550.2625 Horseracing; minimum purse requirement, Florida
 1453 breeders' and owners' awards.—

1454 (8)

1455 ~~(b) The division shall deposit these collections to the~~
 1456 ~~credit of the General Inspection Trust Fund in a special account~~
 1457 ~~to be known as the "Florida Arabian Horse Racing Promotion~~
 1458 ~~Account." The Department of Agriculture and Consumer Services~~
 1459 ~~shall administer the funds and adopt suitable and reasonable~~
 1460 ~~rules for the administration thereof. The moneys in the Florida~~
 1461 ~~Arabian Horse Racing Promotion Account shall be allocated solely~~

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1462 | ~~for supplementing and augmenting purses and prizes and for the~~
 1463 | ~~general promotion of owning and breeding of racing Arabian~~
 1464 | ~~horses in this state; and the moneys may not be used to defray~~
 1465 | ~~any expense of the Department of Agriculture and Consumer~~
 1466 | ~~Services in the administration of this chapter, except that the~~
 1467 | ~~moneys generated by Arabian horse registration fees received~~
 1468 | ~~pursuant to s. 570.382 may be used as provided in paragraph~~
 1469 | ~~(5)(b) of that section.~~

1470 | Section 39. Paragraphs (b) and (c) of subsection (2) of
 1471 | section 550.2633, Florida Statutes, are amended to read:

1472 | 550.2633 Horseracing; distribution of abandoned interest
 1473 | in or contributions to pari-mutuel pools.—

1474 | (2) All moneys or other property which has escheated to
 1475 | and become the property of the state as provided herein and
 1476 | which is held by a permitholder authorized to conduct pari-
 1477 | mutuel pools in this state shall be paid annually by the
 1478 | permitholder to the recipient designated in this subsection
 1479 | within 60 days after the close of the race meeting of the
 1480 | permitholder. Section 550.1645 notwithstanding, the moneys shall
 1481 | be paid by the permitholder as follows:

1482 | (b) ~~Except as provided in paragraph (c),~~ Funds from
 1483 | quarter horse races shall be paid to the Florida Quarter Horse
 1484 | Breeders and Owners Association and shall be allocated solely
 1485 | for supplementing and augmenting purses and prizes and for the
 1486 | general promotion of owning and breeding of racing quarter
 1487 | horses in this state, as provided for in s. 550.2625.

1488 | ~~(c) Funds for Arabian horse races conducted under a~~
 1489 | ~~quarter horse racing permit shall be deposited into the General~~

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1490 ~~Inspection Trust Fund in a special account to be known as the~~
1491 ~~"Florida Arabian Horse Racing Promotion Account" and shall be~~
1492 ~~used for the payment of breeders' awards and stallion awards as~~
1493 ~~provided for in s. 570.382.~~

1494 Section 40. In order to effectuate the repeal of s.
1495 570.97, Florida Statutes, and to honor the wishes of the donor,
1496 for the 2013-2014 fiscal year, the sum of \$59,239 in
1497 nonrecurring funds is appropriated to the Department of
1498 Agriculture and Consumer Services in the expenses appropriation
1499 category for deposit in the General Inspection Trust Fund to be
1500 used by the Division of Animal Industry for disbursement to
1501 Florida Animal Friend, Inc.

1502 Section 41. This act shall take effect upon becoming a
1503 law.