

SB 158 by **Evers (CO-INTRODUCERS) Latvala**; (Similar to H 0137) Civil Liability of Farmers

SB 398 by **Stargel**; (Identical to H 0249) Agricultural Tax Exemptions

SB 420 by **Grimsley**; (Identical to H 0627) Animal Control

SB 594 by **Stargel**; (Identical to H 0569) Agritourism

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Montford, Chair
Senator Dean, Vice Chair

MEETING DATE: Monday, February 16, 2015
TIME: 4:00 —6:00 p.m.
PLACE: 301 Senate Office Building

MEMBERS: Senator Montford, Chair; Senator Dean, Vice Chair; Senators Bullard, Galvano, Garcia, Grimsley, and Sobel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 158 Evers (Similar H 137)	Civil Liability of Farmers; Providing that an existing exemption from civil liability for farmers who gratuitously allow a person to enter upon their land for the purpose of removing farm produce or crops left in the field applies at any time, rather than only after harvesting; revising exceptions to the exemption, etc. AG 02/16/2015 Favorable JU	Favorable Yeas 5 Nays 0
2	SB 398 Stargel (Identical H 249)	Agricultural Tax Exemptions; Redefining the terms "livestock" and "agricultural production"; revising the sales and use tax exemption for certain farm equipment to exempt from the tax irrigation equipment, repairs of farm equipment and irrigation equipment, and certain trailers, etc. AG 02/16/2015 Favorable FT AP	Favorable Yeas 5 Nays 0
3	SB 420 Grimsley (Identical H 627)	Animal Control; Providing a procedure for adopting or humanely disposing of impounded livestock as an alternative to sale or auction; requiring a designated impounder to establish fees and to be responsible for damages caused while impounding livestock; authorizing specified municipalities to appoint agents for the purpose of investigating violations of certain laws; clarifying that certain provisions relating to local animal control are not the exclusive means of enforcing animal control laws, etc. AG 02/16/2015 Favorable CA FP	Favorable Yeas 5 Nays 0
4	SB 594 Stargel (Identical H 569)	Agritourism; Prohibiting a local government from enforcing an ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land, etc. AG 02/16/2015 Favorable CA RC	Favorable Yeas 5 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Agriculture

Monday, February 16, 2015, 4:00 —6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
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5	Presentation by Florida Beekeepers		Not Considered
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Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 158

INTRODUCER: Senators Evers and Latvala

SUBJECT: Civil Liability of Farmers

DATE: February 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Akhavain	Becker	AG	Favorable
2.			JU	

I. Summary:

SB 158 expands existing law which affords farmers an exemption from civil liability from injury or death of person entering a farm, without charge, in order to remove farm produce or crops remaining in the fields *after harvest*. The bill exempts a farmer from civil liability if he gratuitously allows a person to remove farm produce or crops, *at any time*.

The bill further provides that farmers having actual knowledge, but who fail to warn of a dangerous condition, will be liable for damages unless such condition would be obvious to a person entering upon the farmer's land. The farmer, however, remains liable for injury or death directly resulting from the farmer's gross negligence or intentional acts.

II. Present Situation:

Gleaning

Gleaning is the process of gathering leftover crops from fields after commercial harvesters or reapers complete their work.¹ Gleaning was common in earlier civilizations as a means of providing for widows and the poor. Today, gleaning is often practiced by humanitarian organizations as a method of providing food for impoverished people.² However, the opening up of someone's land for gleaning may result in injury, damages, and litigation, causing some farmers to be reluctant to allow gleaning.

Premises Liability

A person who is injured on someone else's property may seek damages for tort liability if the person in control of the property breached a duty of care owed to the injured person.³ People who

¹ See www.merriam-webster.com/dictionary/glean.

² The Palm Beach County Legislative Affairs Department estimates that millions of pounds of produce, representing different commodities, are plowed under each year in Palm Beach County.

³ 74 AM. JUR. 2d Torts s. 7 (2014).

enter the property of another person are categorized as invitees, licensees, or trespassers, and that status is determined by the relationship between the parties.⁴

Florida law has generally defined an invitee as a person “who entered the premises of another for purposes connected with the business of the owner or occupier.”⁵ The two duties owed by the landowner to the invitee are the duties to:

- Use reasonable care in keeping the property in a reasonably safe condition; and
- Warn of concealed conditions “which are known or should be known to the landowner”⁶ but are not known to the invitee and cannot be discovered by the invitee exercising due care.⁷

Legislative History

Before 1992, there was no specific statute governing or limiting the liability of farmers who allowed others to enter their land to gather crops that remained after harvest. However, in 1992, Florida passed a protective law⁸ for farmers⁹ that exempts them from civil liability if they gratuitously allow a person to enter onto their land to remove any farm produce or crops that remain in the fields after harvesting. The farmer is exempt from civil liability due to any injury or death that results from the nature or condition of the land or the nature, age, or conditions of the farm produce or crop.¹⁰ The exemption does not apply if an injury or death directly results from the gross negligence, intentional act, or known dangerous conditions that are not disclosed by the farmer.¹¹

III. Effect of Proposed Changes:

Section 1 amends s. 768.137, F.S., to expand and clarify a farmer’s protection from civil liability from negligence actions by a person who, without compensation, enters onto a farmer’s land to remove farm produce or crops. The farmer is liable for those damages that result from the failure of the farmer to warn of a dangerous condition of which the farmer has “actual knowledge” unless the dangerous condition would be obvious to a person entering upon the farmer’s land. The farmer, however, remains liable for injury or death directly resulting from the farmer’s gross negligence or intentional acts.

Section 2 provides that this act shall take effect July 1, 2015.

⁴ 41 FLA. JUR. 2d Premises Liability s. 4 (2014).

⁵ Thomas D. Sawaya, FLORIDA PERSONAL INJURY LAW AND PRACTICE WITH WRONGFUL DEATH ACTIONS, s. 10:6(2014 edition).

⁶ Id.

⁷ Id.

⁸ Chapter 92-85, s. 1, Laws of Fla.

⁹ “Farmer” is defined as “a person who is engaging in the growing or producing of farm produce, either part time or full time, for personal consumption or for sale and who is the owner or lessee of the land or a person designated in writing by the owner or lessee to act as her or his agent.” Section 768.137(1), F.S.

¹⁰ Section 768.137(2), F.S.

¹¹ Section 768.137(3), F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Humanitarian organizations that harvest produce and crops to provide food to the needy might see an increase in the willingness of farmers to allow access to their farms. This could result in food banks, charitable organizations, and ministries receiving more food for their clients.

The exemption from civil liability for a farmer who allows a person to enter onto his land to glean produce or crops has been expanded to include both before and after harvesting. It also shifts the cost of damages from injury or death of an invitee from the farmer or his insurer to the injured invitee or his insurer. Persons seeking redress might be adversely affected by their inability to pursue litigation and receive monetary compensation for damages.

C. Government Sector Impact:

The Office of the State Courts Administrator has indicated that permitting removal of produce and crops at times other than after harvest will not alone have any substantial impact on the courts. The provision, however, which requires *actual knowledge* of undisclosed dangerous conditions not obvious to a person entering a farm will restrict instances in which farmers may otherwise be found civilly liable. Proposed changes will have little impact on court workload, though civil matters requiring proof of actual knowledge will entail additional judicial time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 768.137 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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

By Senator Evers

2-00190-15

2015158__

A bill to be entitled

An act relating to the civil liability of farmers;
amending s. 768.137, F.S.; providing that an existing
exemption from civil liability for farmers who
gratuitously allow a person to enter upon their land
for the purpose of removing farm produce or crops left
in the field applies at any time, rather than only
after harvesting; revising exceptions to the
exemption; providing an effective date.

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

Section 1. Subsections (2) and (3) of section 768.137,
Florida Statutes, are amended to read:

768.137 Definition; limitation of civil liability for
certain farmers; exception.—

(2) A ~~Any~~ farmer who gratuitously allows a person ~~persons~~
to enter upon the farmer's ~~her or his own~~ land for the purpose
of removing any farm produce or crops is ~~remaining in the fields~~
~~following the harvesting thereof, shall be~~ exempt from civil
liability arising out of any injury to, or the death of, such
person due to ~~resulting from~~ the nature or condition of the ~~such~~
land or the nature, age, or condition of the ~~any such~~ farm
produce or crops that are removed ~~crop~~.

(3) The exemption from civil liability provided ~~for~~ in this
section does ~~shall~~ not apply if injury or death directly results
from the gross negligence or, intentional act of the farmer, or
from the farmer's failure to warn of a dangerous condition of
which the farmer has actual knowledge unless that condition

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

2-00190-15

2015158__

would be obvious to a person entering upon the farmer's land
~~from known dangerous conditions not disclosed by the farmer.~~

Section 2. This act shall take effect July 1, 2015.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

Committee Agenda Request


To: Senator Bill Montford, Chair
Committee on Agriculture

Subject: Committee Agenda Request

Date: February 9, 2015

I respectfully request that **Senate Bill #158**, relating to Civil Liability of Farmers, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.



Senator Greg Evers
Florida Senate, District 2



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Criminal Justice, *Chair*
Appropriations Subcommittee on Criminal and
Civil Justice
Communications, Energy, and Public Utilities
Environmental Preservation and Conservation
Military and Veterans Affairs, Space, and
Domestic Security
Transportation

SENATOR GREG EVERS

2nd District

February 16, 2015

Senator Montford
Chairman Agriculture Committee

Dear Senator Montford,

Senator Evers is chairing his Criminal Justice Committee today from 4:00 to 6:00 and will be unavailable to present his bill. His Legislative Assistant, Dave Murzin, will present for him.

Thank you.

A handwritten signature in black ink that reads "Greg Evers".

Senator Greg Evers

REPLY TO:

- ☐ 209 East Zaragoza Street, Pensacola, Florida 32502-6048 (850) 595-0213 FAX: (888) 263-0013
- ☐ 308 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5002
- ☐ 5234 Willing Street, Milton, FL 32570 (850) 564-1026 FAX: (850) 564-1170

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

THE FLORIDA SENATE
COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)



2/16/2018
Date

158
Bill Number

Name BRIAN PITTs

Phone 727/897-9291

Address 1119 Newton Ave S
Street

E-mail justice2jesus@yahoo.com

St. Petersburg FL 33705
City State Zip

Job Title Trustee

Speaking: ☐ For ☐ Against ☒ Information

Appearing at request of Chair ☐

Subject _____

Representing Justice-2-Jesus

Lobbyist registered with Legislature: ☐ Yes ☒ No

Pursuant to s. 11.061, *Florida Statutes*, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-16-15

Meeting Date

5B 158
Bill Number (if applicable)

Topic _____

Name Doug MAW

Job Title Partner

Address 310 W. College Ave

Street

Tallahassee

City

FL

State

32312

Zip

Phone 222-2135

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waiver in support

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing AIF

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



Meeting Date _____

Topic

Civil Liabilities For Farmers

Bill Number

158

(if applicable)

Name

Adam Basford

Amendment Barcode

(if applicable)

Job Title

Legislative Affairs

Address

315 S Calhoun St

Phone

850 222 2557

Street

Tallahassee

FL

32301

City

State

Zip

E-mail

adam.basford@ssa.org

Speaking:

☒

For

☐

Against

☐

Information

Representing

FL Farm Bureau

Appearing at request of Chair:

☐

Yes

☒

No

Lobbyist registered with Legislature:

☒

Yes

☐

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/16/15
Meeting Date

✓
SB 158
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Butch Calhoun

Job Title _____

Address 119 S. Monroe Suite 300
Street
Tallahassee FL 30301
City State Zip

Phone 521-0455

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Fruit & Vegetable Assoc.

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 398

INTRODUCER: Senator Stargel

SUBJECT: Agricultural Tax Exemptions

DATE: February 16, 2015

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Akhavein	Becker	AG	Favorable
2. _____	_____	FT	_____
3. _____	_____	AP	_____

I. Summary:

SB 398 expands the sales tax exemption for certain farm equipment to include:

- Equipment used in the storage of raw products on a farm;
- Food purchased for all aquaculture species that are raised for commercial purposes;
- Irrigation equipment, including replacement parts and accessories;
- Repairs of power farm equipment and irrigation equipment;
- Trailers used in agricultural production and transportation of farm products; and
- Stakes used by a farmer to support plants during agricultural production.

II. Present Situation:

Florida agriculture contributes an economic impact of more than \$100 billion to the state. According to the Florida Farm Bureau, in many segments of the industry, profits are very tight and markets are unpredictable. Currently, Florida's farmers are at a competitive disadvantage to neighboring states that have broad sales tax exemptions for items used in agricultural production. Georgia, Alabama, and other southeastern states also have exemptions for parts and repairs of farm equipment. This is especially pertinent in North Florida where farmers are likely to buy parts and take their equipment to be repaired across state lines, potentially having a negative impact on related businesses in Florida.

Chapter 212, F.S., contains the statutory provisions authorizing the levy and collection of Florida's sales and use tax, as well as the exemptions and credits applicable to certain items or uses under specified circumstances. Florida provides a sales tax exemption for certain farm equipment. In order to qualify, the equipment must be "power farm equipment" used exclusively on a farm or in a forest for the agricultural production of the crops or for fire prevention and suppression work with respect to such crops. The exemption applies to the "sale, rental, lease,

use, consumption, or storage for use in this state of power farm equipment”; the provision does not exempt the repair of power farm equipment.

“Power farm equipment” is limited to moving or stationary equipment that contains within itself the means for its own propulsion or depends on an external power source to perform its functions. Sales of component parts of power farm equipment are not exempt unless the component part is, by itself, power farm equipment. For example, the sale of a complete irrigation supply system would be exempt as the sale of power farm equipment; however, the sale of a pipe that would be used to update an existing system is not exempt.

“Agricultural production” is limited to practices necessary to accomplish the production of plants and animals through the harvest phase. Power farm equipment used in activities that occur after harvesting, such as processing, is not exempt.

According to the Florida Farm Bureau, the bill’s sales tax exemptions will help reduce fixed costs for farmers, helping boost profitability, encourage growth, and incentivize more efficient irrigation practices.

III. Effect of Proposed Changes:

Section 1 amends s. 212.02, F.S., to redefine the term “livestock” to include all aquaculture species that are certified under ch. 597, F.S., and raised for commercial purposes. This would result in a sales tax exemption for food purchased for all aquaculture species that are raised for commercial purposes. It redefines “agricultural production” to include storage of raw products on a farm. The effect of this inclusion is the creation of a new sales tax exemption on the sale, rental, lease, use, storage, or repair of power farm equipment, including replacement parts and accessories, used exclusively on a farm or in a forest to store raw products on a farm.

Section 2 amends s. 212.08, F.S., to create a new tax exemption on:

- Irrigation equipment, including replacement parts and accessories for power farm equipment and irrigation equipment which are used exclusively on a farm or in a forest in the agricultural production of crops and products;
- Repairs of power farm equipment and irrigation equipment;
- The sale price below \$20,000 of a trailer weighing 12,000 pounds or less and purchased by a farmer for exclusive use in agricultural production or to transport farm products from his or her farm to the place where the farmer transfers ownership of the farm product to another. The bill specifies that this exemption is not forfeited by using a trailer to transport the farmer’s farm equipment, and that this exemption does not apply to the lease or rental of a trailer; and
- Stakes used by a farmer to support plants during agricultural production.
- These stakes are used primarily by tomato and pepper growers.

Section 3 provides that this act shall take effect July 1, 2015.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Subsection (b) of s. 18, Art. VII of the Florida Constitution provides that except upon approval of each house of the Legislature by two-thirds vote of the membership, the Legislature may not enact, amend, or repeal any general law if the anticipated effect of doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. The bill provides sales tax exemptions that will reduce municipalities' and counties' sales tax collections, thereby reducing their revenue-raising authority.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

The Revenue Estimating Conference has determined that this bill will reduce General Revenue by \$10.3 million in Fiscal Year 2015-2016, with a negative \$11.0 million recurring impact on General Revenue. The bill will also reduce local governments' revenues by \$2.1 million in Fiscal Year 2015-2016, with a negative \$2.4 million recurring impact on local governments.

B. Private Sector Impact:

The bill appears to have a direct positive fiscal impact on the private sector by reducing the amount of sales tax that certain agricultural producers must pay for specified agricultural products or services.

C. Government Sector Impact:

See Tax/Fee Issues section above.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 212.02, 212.08

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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

By Senator Stargel

15-00580-15

2015398__

A bill to be entitled

An act relating to agricultural tax exemptions; amending s. 212.02, F.S.; redefining the terms "livestock" and "agricultural production"; amending s. 212.08, F.S.; revising the sales and use tax exemption for certain farm equipment to exempt from the tax irrigation equipment, repairs of farm equipment and irrigation equipment, and certain trailers; revising the sales and use tax exemption for items in agricultural use to exempt from the tax stakes used to support plants during agricultural production; providing an effective date.

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

Section 1. Subsections (29) and (32) of section 212.02, Florida Statutes, are amended to read:

212.02 Definitions.—The following terms and phrases when used in this chapter have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(29) "Livestock" includes all animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, ostriches, and other grazing animals raised for commercial purposes. The term "~~livestock~~" shall also include all aquaculture species that are certified under chapter 597 and include fish raised for commercial purposes.

(32) "Agricultural production" means the production of plants and animals useful to humans, including the preparation,

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2015398__

planting, cultivating, or harvesting of these products or any other practices necessary to accomplish production through the harvest phase, including storage of raw products on the farm. ~~The term and~~ includes aquaculture, horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production.

Section 2. Subsection (3) and paragraph (a) of subsection (5) of section 212.08, Florida Statutes, are amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(3) EXEMPTIONS; CERTAIN FARM EQUIPMENT.—

(a) ~~The There shall be no tax may not be imposed on the sale, rental, lease, use, consumption, repair, or storage for use in this state of power farm equipment or irrigation equipment, including replacement parts and accessories for power farm equipment or irrigation equipment, which are used exclusively on a farm or in a forest in the agricultural production of crops or products as produced by those agricultural industries included in s. 570.02(1), or for fire prevention and suppression work with respect to such crops or products. Harvesting may not be construed to include processing activities. This exemption is not forfeited by moving farm equipment between farms or forests.~~

(b) The tax may not be imposed on that portion of the sales price below \$20,000 for a trailer weighing 12,000 pounds or less

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2015398__

and purchased by a farmer for exclusive use in agricultural production or to transport farm products from his or her farm to the place where the farmer transfers ownership of the farm products to another. This exemption is not forfeited by using a trailer to transport the farmer's farm equipment. The exemption provided under this paragraph does not apply to the lease or rental of a trailer.

(c) The exemptions provided in paragraphs (a) and (b) are ~~However, this exemption shall not be~~ allowed unless the purchaser, renter, or lessee signs a certificate stating that the farm equipment is to be used exclusively ~~on a farm or in a forest for agricultural production or for fire prevention and suppression,~~ as required under by this subsection. Possession by a seller, lessor, or other dealer of a written certification by the purchaser, renter, or lessee certifying the purchaser's, renter's, or lessee's entitlement to an exemption permitted by this subsection relieves the seller from the responsibility of collecting the tax on the nontaxable amounts, and the department shall look solely to the purchaser for recovery of such tax if it determines that the purchaser was not entitled to the exemption.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(a) ~~Items in agricultural use and certain nets.—There are exempt from~~ The tax may not be imposed on by this chapter nets designed and used exclusively by commercial fisheries; disinfectants, fertilizers, insecticides, pesticides, herbicides, fungicides, and weed killers used for application on crops or groves, including commercial nurseries and home vegetable gardens, used in dairy barns or on poultry farms for

15-00580-15

2015398__

the purpose of protecting poultry or livestock, or used directly on poultry or livestock; portable containers or movable receptacles in which portable containers are placed, used for processing farm products; field and garden seeds, including flower seeds; nursery stock, seedlings, cuttings, or other propagative material purchased for growing stock; seeds, seedlings, cuttings, and plants used to produce food for human consumption; cloth, plastic, and other similar materials used for shade, mulch, or protection from frost or insects on a farm; stakes used by a farmer to support plants during agricultural production; generators used on poultry farms; and liquefied petroleum gas or other fuel used to heat a structure in which started pullets or broilers are raised; however, such exemption ~~is shall not be~~ allowed unless the purchaser or lessee signs a certificate stating that the item to be exempted is for the exclusive use designated herein. Also exempt are cellophane wrappers, glue for tin and glass (apiarists), mailing cases for honey, shipping cases, window cartons, and baling wire and twine used for baling hay, when used by a farmer to contain, produce, or process an agricultural commodity.

Section 3. This act shall take effect July 1, 2015.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Higher Education, *Chair*
Appropriations Subcommittee on Education
Fiscal Policy
Judiciary
Military and Veterans Affairs, Space, and Domestic
Security
Regulated Industries

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

SENATOR KELLI STARGEL
15th District

February 3, 2015

The Honorable Bill Montford
Senate Agriculture Committee, Chair
214 Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399

Dear Chair Montford:

I am respectfully requesting that SB 398, related to *Agricultural Tax Exemptions*, be placed on the committee agenda at your earliest convenience.

Thank you for your consideration and please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Kelli Stargel". The signature is fluid and cursive.

Kelli Stargel
State Senator, District 15

Cc: Katherine Becker/ Staff Director
Joyce Butler/ AA

REPLY TO:

- ☐ 2033 East Edgewood Drive, Suite 1, Lakeland, Florida 33803
- ☐ 324 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5015

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Higher Education, *Chair*
Appropriations Subcommittee on Education
Fiscal Policy
Judiciary
Military and Veterans Affairs, Space, and Domestic
Security
Regulated Industries

SENATOR KELLI STARGEL

15th District

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

February 12, 2015

Chairman Montford
335 Knott Building

Dear Chair Montford:

I am requesting permission for my two LAs to present my two bills during the next Agriculture Committee. During the Agriculture committee timeframe, I will be chairing the Higher Education Committee and also presenting the committee bill to the members.

Rachel Barnes will be presenting SB 594 dealing with Agritourism and Katie Martin will be presenting SB 398 Agricultural Tax Exemptions.

Thank you for this consideration,

Sincerely,

A handwritten signature in black ink that reads "Kelli Stargel". The signature is fluid and cursive.

Kelli Stargel
State Senator, District 15

Cc: John Phelps / Rules Staff Director
Katherine Becker/Staff Director
Joyce Butler / CAA

REPLY TO:

- ☐ 2033 East Edgewood Drive, Suite 1, Lakeland, Florida 33803
- ☐ 324 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5015

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-18-15

Meeting Date

✓
5B398

Bill Number (if applicable)

Topic

Ag.

Amendment Barcode (if applicable)

Name

DOUG MANN

Job Title

Address

310 W. College Ave.

Phone

222-7535

Street

Tallahassee

FL

32312

Email

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

Waive Speaking:

☒

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

AIF

Appearing at request of Chair:

☐

Yes

☐

No

Lobbyist registered with Legislature:

☐

Yes

☐

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____
Topic Ag Tax Exemptions
Name Adam Bedford
Job Title 315 S Calhoun #850
Address ↓
Tallahassee FL 32301
City State Zip

✓ 398
Bill Number (if applicable)
Amendment Barcode (if applicable)
Phone 272 2557
Email adambedford@ffb.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Farm Bureau

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/16/15

Meeting Date

398

Bill Number (if applicable)

Topic SB 398 - ag tax exempt.

Name Jen Gaviria

Job Title Governmental Consultant

Address 101 East College Ave, Suite 502

Street

Tallahassee FL

City

State

Zip

32301

Phone (954) 648-9911

Email ygaviria@capacityconsult.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Plum Creek

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/16/15

Meeting Date

SB 398

Bill Number (if applicable)

Topic

Name

Butch Calhoun

Job Title

Address

119 S. Monroe Suite 300

Street

Tallahassee

City

FL

State

32301

Zip

Phone

521-0458

Email

Speaking:



For



Against



Information

Waive Speaking:



In Support



Against

(The Chair will read this information into the record.)

Representing

Florida Fruit & Vegetable Assoc

Appearing at request of Chair:



Yes



No

Lobbyist registered with Legislature:



Yes



No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

2/16/2015
Date

398

Bill Number

Name BRIAN PITTS

Phone 727/897-9291

Address 1119 Newton Ave S

E-mail justice2jesus@yahoo.com

Street

St Petersburg
City

FL

State

33705
Zip

Job Title Trustee

Speaking: ☐ For ☐ Against ☒ Information

Appearing at request of Chair ☐

Subject _____

Representing Justice-2-Jesus

Lobbyist registered with Legislature: ☐ Yes ☒ No

Pursuant to s. 11.061, *Florida Statutes*, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 420

INTRODUCER: Senator Grimsley

SUBJECT: Animal Control

DATE: February 16, 2015

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Akhavein	Becker	AG	Favorable
2. _____	_____	CA	_____
3. _____	_____	FP	_____

I. Summary:

SB 420 provides a procedure for adopting or humanely disposing of impounded livestock, as an alternative to sale or auction, which are not always the best options for the health and safety of the animals. Notice of the impounded livestock may be provided in specified methods by county sheriffs. The bill requires the designated impounder to establish fees and to be responsible for damages caused while impounding the livestock. It provides cities with lawfully sanctioned animal control officers the same powers as the counties for the purpose of investigating animal cruelty cases and seizing the animals or petitioning for custody. The bill provides additional, supplemental, and alternative laws for enforcing county or municipal codes or ordinances, but clarifies that it does not prohibit a county or municipality from enforcing its own codes or ordinances by any other means.

II. Present Situation:

Florida Fence Law

Before the enactment of fencing laws, Florida was an open-range state. In the 1949 Legislative Session, Governor Fuller Warren approved Senate Bill 34, which required owners of livestock to prevent their animals from “running at large or straying upon public roads.” The act encouraged ranchers to build fences and contain wandering livestock. Sometimes known as the fence law, historians consider Senate Bill 34 the final measure in closing the open range.¹

Under the provisions of Ch. 588, F.S., every owner who intentionally, willfully, carelessly, or negligently suffers or permits their livestock to run at large or stray upon Florida public roads are liable for any resulting injuries or property damage and may even be guilty of a second degree

¹ *Stray Livestock Liability Laws*, <http://www.floridamemory.com/blog/2012/06/07/stray-livestock-liability-laws/> (last visited on Feb. 6, 2015).

misdemeanor.² Criminal penalties may include a term of imprisonment not exceeding 60 days and/or a fine of as much as \$500.³

Auctions

Current law requires animal control agencies to auction impounded livestock regardless of the circumstances. Often, this is not financially feasible and it may also prevent more timely solutions that would result in better conditions for the animals. The bill allows adoption when auctions are not feasible. The auction process does not allow the agencies to control the quality of placement. Known animal abusers have purchased animals at auction because current law does not prevent this. If the animals are adopted, there are quality control mechanisms available.⁴

Municipal Issues

Current animal control statutes do not give cities the same powers as counties. Some provisions of the law are reserved for counties and judicially appointed animal control officers because the officers are required to be trained, which affords greater authority in animal cruelty cases. The changes in this bill would give cities with trained officers the authority to petition for custody, pursue animal cruelty changes, and prosecute offenders without relying on the assistance of a county government.⁵

Restitution

The bill would allow non-governmental organizations to seek their own civil restitution. This often comes into play in larger animal cruelty cases. If a case involves a large number of animals, one agency cannot handle the workload alone. Often, many local humane societies and other groups will pitch in to provide care for the animals. Today, if criminal charges are not ultimately pursued, but the owner loses custody of the animals, local humane societies do not have the ability to pursue civil restitution and would have to pursue their costs through the governmental agency. This change will streamline the process for civil restitution.⁶

Civil Citation Procedures

Section 828.27, F.S., outlines the procedures for processing animal control citations. However, it is restrictive in nature and may not provide the same flexibility that local governments have in other code enforcement situations. It is unclear whether the more flexible procedures authorized in Ch. 162, F.S., apply to animal control. This change clears up that ambiguity and would definitively allow local governments to utilize tools such as local code enforcement boards or special magistrates in an effort to maximize collections.⁷

² Sections 588.15 and 588.24, F.S.

³ Section 588.24, F.S., citing sections 775.082 and 775.083, F.S.

⁴ Florida Animal Control Association interview February 9, 2015.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

III. Effect of Proposed Changes:

Section 1 amends s. 588.17, F.S., to provide additional options for dealing with impounded livestock. In addition to sale or auction, it includes adoption and humane disposal when auctions are not feasible. It also provides the impounder with notification requirements in an effort to identify the owner of the impounded livestock.

Section 2 amends s. 588.18, F.S., to require a designated impounder to establish fees and to be responsible for damages caused while impounding the livestock.

Section 3 amends s. 588.20, F.S., to clarify that the requirements for reporting a sale or disposition apply only if the impounded livestock is offered for sale.

Section 4 amends s. 588.23, F.S., to conform this section to changes made in the previous sections.

Section 5 amends s. 828.03, F.S., to allow municipalities to employ trained animal control officers that are authorized to petition for custody of animals, pursue animal cruelty changes, and prosecute offenders without relying on the assistance of a county government.

Section 6 amends s. 828.073, F.S., to conform provisions to changes made by the act. It authorizes any municipality with certified animal control officer to take charge of animals found in distress. It authorizes the officers to take custody of an animal or to order to provide certain care at the owner's expense. It authorizes courts to require the owner of an animal to pay for the care of the animal while in the care of an officer's designee. It also authorizes the allocation of auction proceeds to affected municipalities with animal control officers.

Section 7 amends s. 828.27, F.S., to delete obsolete provisions relating to the proceeds collected for civil penalties imposed for violation of an ordinance relating to animal control or cruelty. It clarifies that certain provisions relating to local animal control are not the exclusive means of enforcing animal control laws. It also provides that this section does not prohibit a county or municipality from enforcing its codes or ordinances.

Section 8 provides that this act shall take effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill would make it easier for non-governmental organizations, such as local humane societies and other groups, to seek restitution for care of impounded animals in criminal cases.

C. Government Sector Impact:

The bill would reduce the time and funds necessary for governmental agencies to reimburse third party groups involved in the care and adoption of impounded animals.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 588.17, 588.18, 588.20, 588.23, 828.03, 828.073, and 828.27.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Grimsley

21-00276A-15

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1 A bill to be entitled
 2 An act relating to animal control; amending s. 588.17,
 3 F.S.; providing a procedure for adopting or humanely
 4 disposing of impounded livestock as an alternative to
 5 sale or auction; amending s. 588.18, F.S.; requiring a
 6 designated impounder to establish fees and to be
 7 responsible for damages caused while impounding
 8 livestock; amending s. 588.20, F.S.; clarifying that
 9 the requirements for reporting a sale or disposition
 10 apply only if the impounded livestock is offered for
 11 sale; amending s. 588.23, F.S.; conforming provisions
 12 to changes made by this act; amending s. 828.03, F.S.;
 13 authorizing specified municipalities to appoint agents
 14 for the purpose of investigating violations of certain
 15 laws; amending s. 828.073, F.S.; conforming provisions
 16 to changes made by the act; authorizing agents
 17 appointed by specified municipalities to take charge
 18 of certain animals; authorizing certain municipalities
 19 to take custody of an animal found neglected or
 20 cruelly treated or to order the owner of such an
 21 animal to provide certain care at the owner's expense;
 22 authorizing county courts to remand animals to the
 23 custody of certain municipalities; authorizing courts
 24 to require the owner of an animal to pay for the care
 25 of the animal while in the care of an officer's
 26 designee; authorizing the allocation of auction
 27 proceeds to certain municipalities; amending s.
 28 828.27, F.S.; deleting obsolete provisions; clarifying
 29 that certain provisions relating to local animal

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30 control are not the exclusive means of enforcing
 31 animal control laws; providing an effective date.
 32

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

34
 35 Section 1. Section 588.17, Florida Statutes, is amended to
 36 read:

37 588.17 Disposition of impounded livestock.—

38 ~~(1) Upon the impounding of any~~ Livestock impounded pursuant
 39 to this chapter shall be disposed of by sale or auction,
 40 adoption, or humane disposition. by the sheriff or his or her
 41 deputies or designees, or any other law enforcement officers of
 42 the county, the county animal control center, or state highway
 43 patrol officers,

44 (1) If the livestock is to be offered for sale, the sheriff
 45 shall forthwith serve written notice upon the owner, advising
 46 the such owner of the location or place where the livestock is
 47 being held and impounded, of the amount due by reason of the
 48 such impounding, and that unless the such livestock is be
 49 redeemed within 3 days from date thereof ~~that~~ the livestock will
 50 ~~same shall~~ be offered for sale.

51 ~~(a)(2) If in the event~~ the owner of the such livestock is
 52 unknown or cannot be found, service upon the owner shall be
 53 obtained by once publishing a notice in a newspaper of general
 54 circulation where the livestock is impounded (Sundays and
 55 holidays excluded). If there is be no such newspaper, ~~then by~~
 56 ~~posting of~~ the notice shall be posted at the courthouse door and
 57 at two other conspicuous places within the said county.

58 Such notice shall be in substantially the following form:

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59 "TO WHOM IT MAY CONCERN:

60
61 YOU ARE HEREBY NOTIFIED THAT THE FOLLOWING DESCRIBED
62 LIVESTOCK ... (GIVING FULL AND ACCURATE DESCRIPTION OF SAME,
63 INCLUDING MARKS AND BRANDS)... IS NOW IMPOUNDED AT ... (GIVING
64 LOCATION WHERE LIVESTOCK IS IMPOUNDED)... AND THE AMOUNT DUE BY
65 REASON OF SUCH IMPOUNDING IS DOLLARS. THE ABOVE DESCRIBED
66 LIVESTOCK WILL, UNLESS REDEEMED WITHIN 3 DAYS FROM DATE HEREOF,
67 BE OFFERED FOR SALE AT PUBLIC AUCTION TO THE HIGHEST AND BEST
68 BIDDER FOR CASH.

69 ... (DATE)... ... (SHERIFF)...
70 OF COUNTY, FLORIDA"

71
72 (b)(3) Unless the impounded livestock is redeemed within 3
73 days after from date of notice, the sheriff shall forthwith give
74 notice of sale, thereof which shall be held at least not less
75 than 5 days but not nor more than 10 days (excluding Sundays and
76 holidays) after from the first publication of the notice of
77 sale. The said notice of sale shall be published in a newspaper
78 of general circulation in the said county (excluding Sundays and
79 holidays) and by posting a copy of the such notice at the
80 courthouse door. If there is be no such newspaper, the then by
81 posting such copy shall be posted at the courthouse door and at
82 two other conspicuous places in the said county.

83 Such notice of sale shall be in substantially the following
84 form:

85
86 "... (NAME OF OWNER, IF KNOWN, OTHERWISE 'TO WHOM IT MAY
87 CONCERN')... YOU ARE HEREBY NOTIFIED THAT I WILL OFFER FOR SALE

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88 AND SELL AT PUBLIC SALE TO THE HIGHEST AND BEST BIDDER FOR CASH
89 THE FOLLOWING DESCRIBED LIVESTOCK ... (GIVING FULL AND ACCURATE
90 DESCRIPTION OF EACH HEAD OF LIVESTOCK)... AT O'CLOCK,
91 M. (THE HOUR OF SALE TO BE BETWEEN 11 A.M. AND 2 P.M. EASTERN
92 STANDARD TIME) ON THE DAY OF AT THE FOLLOWING PLACE
93 (WHICH PLACE SHALL BE WHERE THE LIVESTOCK IS IMPOUNDED OR
94 AT THE PLACE PROVIDED BY THE COUNTY COMMISSIONERS FOR THE TAKING
95 UP AND KEEPING OF SUCH LIVESTOCK) TO SATISFY A CLAIM IN THE SUM
96 OF FOR FEES, EXPENSES FOR FEEDING AND CARE AND COSTS
97 HEREOF.

98 ... (DATE)... ... (SHERIFF)...
99 OF COUNTY, FLORIDA"

100
101 (2) If the livestock is to be offered for adoption or
102 humanely disposed of, the designated impounder shall:

103 (a) Provide written notice to the owner, if known, advising
104 the owner of the location where the livestock is impounded, of
105 the amount due by reason of the impounding, and that unless the
106 livestock is redeemed within a timeframe to be established by
107 the impounder, a period of at least 3 days, the livestock will
108 be offered for adoption or disposed of humanely; or

109 (b) If the owner is unknown or cannot be located, obtain
110 service upon the owner by publishing a notice on the impounder's
111 website. If the livestock is not redeemed within a timeframe to
112 be established by the impounder, a period of at least 3 days,
113 the livestock will be offered for adoption or disposed of
114 humanely.

115 Section 2. Section 588.18, Florida Statutes, is amended to
116 read:

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117 588.18 Livestock at large; fees.—The fees allowed for
 118 impounding, serving notice, care and feeding, advertising, and
 119 disposing of impounded animals shall be determined by the
 120 sheriff of each county or the designated impounder. Damages done
 121 by the sheriff, sheriff's designees, or any other law
 122 enforcement officer or designated impounder in pursuit, or in
 123 the capture, handling, or care of the livestock are the sole
 124 responsibility of the sheriff, ~~or other~~ law enforcement agency,
 125 or designated impounder.

126 Section 3. Subsection (1) of section 588.20, Florida
 127 Statutes, is amended to read:

128 588.20 Report of sale and disposition of proceeds.—

129 (1) The sheriff, upon making a sale or ~~other~~ disposal
 130 pursuant to s. 588.19 ~~as herein provided~~, shall forthwith make a
 131 written return thereof to the clerk of the circuit court of such
 132 county, with a full and accurate description of the livestock
 133 sold or disposed of by her or him, to whom, and the sale price
 134 thereof, which report shall be filed by said clerk.

135 Section 4. Section 588.23, Florida Statutes, is amended to
 136 read:

137 588.23 Right of owner.—The owner of any impounded livestock
 138 ~~has shall have~~ the right at any time before the disposition sale
 139 thereof to redeem the ~~livestock same~~ by paying to the sheriff or
 140 designated impounder all impounding expenses, including fees,
 141 keeping charges, advertising, or other costs incurred therewith
 142 which sum shall be deposited by the sheriff or designated
 143 impounder with the clerk of the circuit court who shall pay all
 144 fees and costs as allowed in s. 588.18. ~~If in the event~~ there is
 145 a dispute as to the amount of such costs and expenses, the owner

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146 may give bond with sufficient sureties to be approved by the
 147 sheriff or designated impounder, in an amount to be determined
 148 by the sheriff or designated impounder, but not exceeding the
 149 fair cash value of such livestock, conditioned to pay such costs
 150 and damages; thereafter, within 10 days, the owner shall
 151 institute suit in equity to have the damage adjudicated by a
 152 court of equity or referred to a jury if requested by either
 153 party to such suit.

154 Section 5. Section 828.03, Florida Statutes, is amended to
 155 read:

156 828.03 Agents of counties, municipalities, societies, etc.,
 157 may prosecute violators.—

158 (1) Any county, any municipality with animal control
 159 officers certified pursuant to s. 828.27, or any society or
 160 association for the prevention of cruelty to children or
 161 animals, organized under the laws of this state, may appoint
 162 agents for the purpose of investigating violations of ~~any of the~~
 163 ~~provisions of~~ this chapter or any other law of the state for the
 164 purpose of protecting children and animals or preventing any act
 165 of cruelty thereto.

166 (2) All appointments of such agents by such society
 167 ~~societies or association corporations~~ must have the approval of
 168 the mayor of the municipality city in which the society or
 169 association exists, and if the society or association exists or
 170 works outside a municipality ~~of any city~~, the appointment must
 171 be approved by the county court judge or the judge of the
 172 circuit court for the county, and the mayor or judge shall keep
 173 a record of such appointment. The approval of the appointment of
 174 any agent by a county for either the incorporated or

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175 unincorporated areas of such county shall be by the county
176 commission.

177 Section 6. Section 828.073, Florida Statutes, is amended to
178 read:

179 828.073 Animals found in distress; when agent may take
180 charge; hearing; disposition; sale.—

181 (1) The purpose of this section is to provide a means by
182 which a neglected or mistreated animal can be:

183 (a) Removed from its present custody, or

184 (b) Made the subject of an order to provide care, issued to
185 its owner by the county court, any law enforcement officer, ~~or~~
186 any agent of the county, any agent of a municipality with animal
187 control officers certified pursuant to s. 828.27, or any agent
188 of a ~~any~~ society or association for the prevention of cruelty to
189 animals appointed under s. 828.03,

190 and given protection and an appropriate and humane disposition
191 can be made.

193 (2) ~~A~~ Any law enforcement officer, ~~an~~ ~~or any~~ agent of any
194 county, any agent of a municipality with animal control officers
195 certified pursuant to s. 828.27, or an agent of any society or
196 association for the prevention of cruelty to animals appointed
197 under the provisions of s. 828.03 may:

198 (a) Lawfully take custody of any animal found neglected or
199 cruelly treated by removing the animal from its present
200 location, or

201 (b) Order the owner of any animal found neglected or
202 cruelly treated to provide certain care to the animal at the
203 owner's expense without removal of the animal from its present

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204 location,

205
206 and shall file a petition seeking relief under this section in
207 the county court of the county in which the animal is found
208 within 10 days after the animal is seized or an order to provide
209 care is issued. The court shall schedule and commence a hearing
210 on the petition within 30 days after the petition is filed to
211 determine whether the owner, if known, is able to provide
212 adequately for the animal and is fit to have custody of the
213 animal. The hearing shall be concluded and the court order
214 entered thereon within 60 days after the date the hearing is
215 commenced. The timeframes set forth in this subsection are not
216 jurisdictional. However, if a failure to meet such timeframes is
217 attributable to the officer or agent, the owner is not required
218 to pay the officer or agent for care of the animal during any
219 period of delay caused by the officer or agent. A fee may not be
220 charged for filing the petition. This subsection does not
221 require court action for the taking into custody and making
222 proper disposition of stray or abandoned animals as lawfully
223 performed by animal control agents.

224 (3) The officer or agent of any county, any municipality
225 with animal control officers certified pursuant to s. 828.27, or
226 ~~or~~ any society or association for the prevention of cruelty to
227 animals taking charge of any animal pursuant to the provisions
228 of this section shall have written notice served, at least 3
229 days before the hearing scheduled under subsection (2), upon the
230 owner of the animal, if he or she is known and is residing in
231 the county where the animal was taken, in conformance with the
232 provisions of chapter 48 relating to service of process. The

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sheriff of the county ~~may shall~~ not charge a fee for service of such notice.

(4) (a) The officer or agent of any county, any municipality with animal control officers certified pursuant to s. 828.27, or ~~of~~ any society or association for the prevention of cruelty to animals taking charge of an animal as provided for in this section shall provide for the animal until either:

1. The owner is adjudged by the court to be able to provide adequately for, and have custody of, the animal, in which case the animal shall be returned to the owner upon payment by the owner for the care and provision for the animal while in the agent's or officer's custody; or

2. The animal is turned over to the officer or agent as provided in paragraph (c) and a humane disposition of the animal is made.

(b) If the court determines that the owner is able to provide adequately for, and have custody of, the animal, the order shall provide that the animal in the possession of the officer or agent be claimed and removed by the owner within 7 days after the date of the order.

(c) Upon the court's judgment that the owner of the animal is unable or unfit to adequately provide for the animal:

1. The court may:

a. Order that the current owner have no further custody of the animal and that the animal be sold by the sheriff at public auction or, ~~that the current owner have no further custody of the animal, and that any animal not bid upon be~~ remanded to the custody of the Society for the Prevention of Cruelty to Animals, the Humane Society, the county, the municipality with animal

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control officers certified pursuant to s. 828.27, or any agency or person the judge deems appropriate, to be disposed of as the agency or person sees fit; or

b. Order that the animal be destroyed or remanded directly to the custody of the Society for the Prevention of Cruelty to Animals, the Humane Society, the county, the municipality with animal control officers certified pursuant to s. 828.27, or any agency or person the judge deems appropriate, to be disposed of as the agency or person sees fit.

2. The court, upon proof of costs incurred by the officer, the officer's designee, or the agent, may require that the owner pay for the care of the animal while in the custody of the officer, the officer's designee, or the agent. A separate hearing may be held.

3. The court may order that other animals that are in the custody of the owner and that were not seized by the officer or agent be turned over to the officer or agent, if the court determines that the owner is unable or unfit to adequately provide for the animals. The court may enjoin the owner's further possession or custody of other animals.

(5) In determining the person's fitness to have custody of an animal ~~under the provisions of this act,~~ the court may consider, among other matters:

(a) Testimony from the agent or officer who seized the animal and other witnesses as to the condition of the animal when seized and as to the conditions under which the animal was kept.

(b) Testimony and evidence as to the veterinary care provided to the animal.

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291 (c) Testimony and evidence as to the type and amount of
 292 care provided to the animal.

293 (d) Expert testimony as to the community standards for
 294 proper and reasonable care of the same type of animal.

295 (e) Testimony from any witnesses as to prior treatment or
 296 condition of this or other animals in the same custody.

297 (f) The owner's past record of judgments pursuant to ~~under~~
 298 ~~the provisions of~~ this chapter.

299 (g) Convictions pursuant to ~~under~~ the statutes prohibiting
 300 cruelty to animals.

301 (h) ~~Any~~ Other evidence the court considers to be material
 302 or relevant.

303 (6) If the evidence indicates a lack of proper and
 304 reasonable care of the animal, the burden is on the owner to
 305 demonstrate by clear and convincing evidence that he or she is
 306 able and fit to have custody of and provide adequately for the
 307 animal.

308 (7) In any case in which an animal is offered for auction
 309 under ~~the provisions of~~ this section, the proceeds shall be:

310 (a) Applied, first, to the cost of the sale.

311 (b) Applied, secondly, to the care and provision for the
 312 animal by the officer or agent of any county, any municipality
 313 with animal control officers certified pursuant to s. 828.27, or
 314 ~~of~~ any society or association for the prevention of cruelty to
 315 animals taking charge.

316 (c) Applied, thirdly, to the payment of the owner for the
 317 sale of the animal.

318 (d) Paid over to the court if the owner is not known.

319 Section 7. Subsection (4) of section 828.27, Florida

Page 11 of 13

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

21-00276A-15

2015420__

320 Statutes, is amended, and subsection (8) is added to that
 321 section, to read:

322 828.27 Local animal control or cruelty ordinances;
 323 penalty.—

324 (4)(a)1. County-employed animal control officers must
 325 ~~shall~~, and municipally employed animal control officers may,
 326 successfully complete a 40-hour minimum standards training
 327 course. Such course must ~~shall~~ include, but is not limited to,
 328 training for: animal cruelty investigations, search and seizure,
 329 animal handling, courtroom demeanor, and civil citations. The
 330 course curriculum must be approved by the Florida Animal Control
 331 Association. An animal control officer who successfully
 332 completes such course shall be issued a certificate indicating
 333 that he or she has received a passing grade.

334 2. Any animal control officer who is authorized before
 335 ~~prior to~~ January 1, 1990, by a county or municipality to issue
 336 citations is not required to complete the minimum standards
 337 training course.

338 3. In order to maintain valid certification, every 2 years
 339 each certified ~~county-employed~~ animal control officer must ~~shall~~
 340 complete 4 hours of postcertification continuing education
 341 training. Such training may include, but is not limited to,
 342 training for: animal cruelty investigations, search and seizure,
 343 animal handling, courtroom demeanor, and civil citations.

344 (b)4- The governing body of a county or municipality may
 345 impose and collect a surcharge of up to \$5 upon each civil
 346 penalty imposed for violation of an ordinance relating to animal
 347 control or cruelty. The proceeds from such surcharges shall be
 348 used to pay the costs of training for animal control officers.

Page 12 of 13

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

21-00276A-15

2015420__

349 ~~2. In addition to the uses set forth in subparagraph 1., a~~
350 ~~county, as defined in s. 125.011, may use the proceeds specified~~
351 ~~in that subparagraph and any carryover or fund balance from such~~
352 ~~proceeds for animal shelter operating expenses. This~~
353 ~~subparagraph expires July 1, 2014.~~

354 (8) This section is an additional, supplemental, and
355 alternative means of enforcing county or municipal codes or
356 ordinances. This section does not prohibit a county or
357 municipality from enforcing its codes or ordinances by any other
358 means, including, but not limited to, the procedures provided in
359 chapter 162.

360 Section 8. This act shall take effect July 1, 2015.



The Florida Senate

Committee Agenda Request

To: Senator Bill Montford, Chair
Committee on Agriculture

Subject: Committee Agenda Request

Date: February 4, 2015

I respectfully request that **Senate Bill #0420**, relating to Animal Control, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in cursive script, reading "Denise Grimsley", is written over a horizontal line.

Senator Denise Grimsley
Florida Senate, District 21

THE FLORIDA SENATE
COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

2/16/2015

Date

420

Bill Number

Name BRIAN PITTS

Phone 727/897-9291

Address 1119 Newton Ave S

E-mail justice2jesus@yahoo.com

Street

St Petersburg

FL

33705

City

State

Zip

Job Title Trustee

Speaking: ☒ For ☐ Against ☒ Information

Appearing at request of Chair ☐

Subject _____

Representing Justice-2-Jesus

Lobbyist registered with Legislature: ☐ Yes ☒ No

Pursuant to s. 11.061, *Florida Statutes*, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 594

INTRODUCER: Senator Stargel

SUBJECT: Agritourism

DATE: February 12, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	Favorable
2.			CA	
3.			RC	

I. Summary:

SB 594 prohibits a local government from enforcing an ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land.

II. Present Situation:

“Agritourism” is any agricultural related activity that takes place on a *bona fide* farm or ranch or in a working forest that allows members of the general public to view or enjoy activities such as harvest-your-own, farming, and ranching.¹

Local governments may not enact a regulation, rule, or policy that would limit an agritourism activity on land classified as agricultural land under s. 193.461.²

III. Effect of Proposed Changes:

Section 1 prohibits a local government from enforcing an ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land.

Section 2 provides that this act shall take effect July 1, 2015.

¹ Section 570.86, F.S.

² Section 570.85, F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

There could be an increase in agritourism activities for business owners, which could potentially generate a profit.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 570.85.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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

By Senator Stargel

15-00972-15

2015594__

A bill to be entitled

An act relating to agritourism; amending s. 570.85, F.S.; prohibiting a local government from enforcing an ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land; providing an effective date.

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

Section 1. Subsection (1) of section 570.85, Florida Statutes, is amended to read:

570.85 Agritourism.—

(1) It is the intent of the Legislature to eliminate duplication of regulatory authority over agritourism as expressed in this section. Except as otherwise provided for in this section, and notwithstanding any other provision of law, a local government may not adopt or enforce an ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under s. 193.461. This subsection does not limit the powers and duties of a local government to address an emergency as provided in chapter 252.

Section 2. This act shall take effect July 1, 2015.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Higher Education, *Chair*
Appropriations Subcommittee on Education
Fiscal Policy
Judiciary
Military and Veterans Affairs, Space, and Domestic
Security
Regulated Industries

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

SENATOR KELLI STARGEL
15th District

February 9, 2015

The Honorable Bill Montford
Senate Agriculture Committee, Chair
214 Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399

Dear Chair Montford:

I am respectfully requesting that SB 594, related to *Agritourism*, be placed on the committee agenda at your earliest convenience.

Thank you for your consideration and please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Kelli Stargel". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Kelli Stargel
State Senator, District 15

Cc: Katherine Becker/ Staff Director
Joyce Butler/ AA

REPLY TO:

- ☐ 2033 East Edgewood Drive, Suite 1, Lakeland, Florida 33803
- ☐ 324 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5015

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Higher Education, *Chair*
Appropriations Subcommittee on Education
Fiscal Policy
Judiciary
Military and Veterans Affairs, Space, and Domestic
Security
Regulated Industries

SENATOR KELLI STARGEL
15th District

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

February 12, 2015

Chairman Montford
335 Knott Building

Dear Chair Montford:

I am requesting permission for my two LAs to present my two bills during the next Agriculture Committee. During the Agriculture committee timeframe, I will be chairing the Higher Education Committee and also presenting the committee bill to the members.

Rachel Barnes will be presenting SB 594 dealing with Agritourism and Katie Martin will be presenting SB 398 Agricultural Tax Exemptions.

Thank you for this consideration,

Sincerely,

A handwritten signature in black ink that reads "Kelli Stargel". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Kelli Stargel
State Senator, District 15

Cc: John Phelps / Rules Staff Director
Katherine Becker/Staff Director
Joyce Butler / CAA

REPLY TO:

- ☐ 2033 East Edgewood Drive, Suite 1, Lakeland, Florida 33803
- ☐ 324 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5015

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

2-16-15

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

✓
SB594
Bill Number (if applicable)

Topic Ag.

Amendment Barcode (if applicable)

Name Doug Mann

Job Title _____

Address 310 W. College Ave.

Phone 222-2535

Street

Tallahassee

City

FL

State

32301

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing AIF

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



2/16/15
Meeting Date

Topic Agriculture

Bill Number 594
(if applicable)

Name Adam Basford

Amendment Barcode _____
(if applicable)

Job Title Legislative Affairs Dir

Address 315 S Calhoun St #830
Tallahassee FL 32301
City State Zip

Phone 222 2557

E-mail adam.basford@afb.org

Speaking: ☒ For ☐ Against ☐ Information

Representing FL Farm Bureau

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-16-15
Meeting Date

594
Bill Number (if applicable)

Topic Agritourism

Amendment Barcode (if applicable)

Name Angela Slappey

Job Title _____

Address 4098 JA Fenton Rd

Phone 863-661-1365

Street

1Kd

City

FL

State

33910

Zip

Email AngelaSlappey@ymail.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing S bar S Ranch

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/16/15
Meeting Date

594

Bill Number (if applicable)

Topic Agritourism

Amendment Barcode (if applicable)

Name William Slappey SLAPPEY

Job Title _____

Address 4098 S. A. Fenton Rd
Street
Cockeland FL 33810
City State Zip

Phone 863-698-2454

Email angefent@aol.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing S bar S Ranch

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/16/2015
Meeting Date

594
Bill Number (if applicable)

Topic Agritourism

Amendment Barcode (if applicable)

Name Ben Parks

Job Title Exec. Director - Florida Agritourism Assoc

Address 6279 Whittendale Drive Phone 850-555-1155

Tallahassee FL 32312 Email bgparks@hotmail.com
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Agritourism Assoc.

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

2/16/2015
Date

594

Bill Number

Name Brian Pitts

Phone 727/897-7291

Address 1119 Newton Ave S.
Street

E-mail justice2jesus@yahoo.com

St Petersburg FL 33705
City State Zip

Job Title Trustee

Speaking: ☐ For ☐ Against ☒ Information

Appearing at request of Chair ☐

Subject _____

Representing Justice-2-Jesus

Lobbyist registered with Legislature: ☐ Yes ☒ No

Pursuant to s. 11.061, *Florida Statutes*, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

CourtSmart Tag Report

Room: SB 301

Caption: Senate Committee on Agriculture

Case:

Judge:

Type:

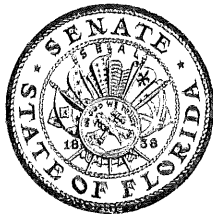
Started: 2/16/2015 4:03:42 PM

Ends: 2/16/2015 4:31:00 PM

Length: 00:27:19

4:03:46 PM Meeting called to order by Chair Montford
4:03:59 PM Roll call by Administrative Assistant, Joyce Butler
4:04:06 PM Quorum present
4:04:25 PM Senators Grimsley and Dean excused per Chair Montford
4:04:43 PM Comments from Chair Montford regarding SB 420 being TP'd
4:05:00 PM Tab 1 - SB 158 introduced by Chair Montford
4:05:17 PM Explanation of SB 156 by Dave Murzin, Legislative Assistant to Senator Evers
4:05:39 PM SB 156 presented by Dave Murzin
4:05:49 PM Comments from Chair Montford
4:06:06 PM Speaker Brian Pitts, Justice-2-Jesus
4:09:52 PM Doug Mann, AIF waives in support
4:10:26 PM Speaker, Adam Basford, Legislative Affairs, Florida Farm Bureau
4:10:55 PM Speaker, Butch Calhoun, Florida Fruit and Vegetable Association
4:11:52 PM Comments from Senator Galvano
4:12:17 PM Dave Murzin waives closure
4:12:32 PM Roll call on SB 158 by Administrative Assistant, Joyce Butler
4:12:39 PM SB 158 reported favorably
4:13:14 PM Tab 2 - SB 398 introduced by Chair Montford
4:13:30 PM Comments from Senator Galvano
4:13:40 PM Comments from Senator Garcia
4:14:15 PM Introduction of SB 398 by Katie Martin, Legislative Assistant to Senator Stargel
4:14:23 PM Comments from Chair Montford
4:14:50 PM Speaker, Doug Mann, AIF in support of bill
4:15:27 PM Speaker, Adam Basford, Florida Farm Bureau in support of the bill
4:16:09 PM Jen Gaviria, Governmental Consultant, Plum Creek waives in support
4:16:34 PM Speaker, Butch Calhoun, Florida Fruit & Vegetable Association in support of bill
4:17:01 PM Speaker, Brian Pitts, Justice-2-Jesus
4:20:12 PM Comments from Chair Montford
4:20:17 PM Closure waived by Katie Martin
4:20:29 PM Roll call on SB 398 by Administrative Assistant, Joyce Butler
4:20:41 PM SB 398 reported favorably
4:20:56 PM Chair Montford states that instead of SB 420 being TP'd, it would be explained by Senator Galvano
4:21:25 PM SB 420 explained by Senator Galvano on behalf of Senator Grimsley
4:21:51 PM Comments from Chair Montford
4:21:59 PM Brian Pitts waives in support
4:22:05 PM Closure waived by Senator Galvano
4:22:13 PM Roll call by Administrative Assistant, Joyce Butler
4:22:25 PM SB 420 reported favorably
4:22:34 PM Tab 4 - SB 594 introduced by Chair Montford
4:22:57 PM Explanation of SB 594 by Rachel Barnes, Legislative Assistant to Senator Stargel
4:23:14 PM Comments from Chair
4:23:20 PM Doug Mann waives in support
4:23:25 PM Adam Basford waives in support
4:24:27 PM Speakers, William and Angela Slaphey, S Bar S Ranch
4:25:13 PM Question from Chair Montford
4:25:24 PM Response from William Slaphey
4:25:34 PM Additional question from Chair Montford
4:25:41 PM Response from Angela Slaphey
4:26:02 PM Ben Parks, Executive Director, Florida Agritourism Association waives in support
4:26:14 PM Speaker, Brian Pitts, Justice-2-Jesus
4:29:42 PM Comments from Chair Montford
4:29:58 PM Closure by Rachel Barnes

4:30:28 PM Roll call on SB 594 by Administrative Assistant, Joyce Butler
4:30:35 PM SB 594 reported favorably
4:30:43 PM Tab 5 - Presentation by Florida Beekeepers TP'd
4:30:53 PM Senator Sobel moves to rise without objection



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Environmental Preservation and
Conservation, *Chair*
Agriculture, *Vice Chair*
Appropriations Subcommittee on General
Government
Children, Families, and Elder Affairs
Community Affairs
Ethics and Elections

SENATOR CHARLES S. DEAN, SR.

5th District

February 12, 2015

The Honorable Bill Montford
214 Senate Office Building
404 South Monroe St.
Tallahassee, FL 32399-1100

Dear Chairman Montford,

The purpose of this letter is to seek your permission to be excused from the scheduled Agriculture Committee meeting on February 16, 2015. Due to unforeseen circumstances, I will not be able to attend.

Should you have any questions concerning this matter, please do not hesitate to contact me personally.

Sincerely,

A handwritten signature in black ink that reads "Charles S. Dean".

Charles S. Dean
State Senator District 5

cc: Katherine Becker, Staff Director

REPLY TO:

- ☐ 405 Tompkins Street, Inverness, Florida 34450 (352) 860-5175
- ☐ 311 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5005
- ☐ 315 SE 25th Avenue, Ocala, Florida 34471-2689 (352) 873-6513

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Communications, Energy, and Public Utilities, *Chair*
Agriculture
Appropriations
Appropriations Subcommittee on Health
and Human Services
Health Policy
Transportation

JOINT COMMITTEES:

Joint Administrative Procedures Committee
Joint Legislative Budget Commission

SENATOR DENISE GRIMSLEY

Deputy Majority Leader
21st District

February 16, 2015

The Honorable Senator Montford, Chair
Senate Agriculture Committee
404 S. Monroe Street
Tallahassee, Florida 32399

Dear Chairman Montford:

I am respectfully requesting permission to be excused from the Agriculture Committee meeting today, February 16th, 2015 due to illness associated with fever.

Sincerely,

A handwritten signature in cursive script that reads "Denise Grimsley".

Denise Grimsley
District 21

cc: Katherine Becker, Staff Director
Joyce Butler, Committee Administrative Assistant

REPLY TO:

- ☐ 205 South Commerce Avenue, Suite A, Sebring, Florida 33870 (863) 386-6016
- ☐ 212 East Stuart Avenue, Lake Wales, Florida 33853 (863) 679-4847
- ☐ 306 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5021

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore