

Bill No. CS for SB 858

Barcode 465360

CHAMBER ACTION

Senate

House

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The Committee on Environmental Preservation (Smith)
recommended the following amendment:

Senate Amendment (with title amendment)

On page 10, between lines 23 and 24,

and insert:

Section 14. Section 581.011, Florida Statutes, is
amended to read:

581.011 Definitions.--As used in this chapter:

(1) "Agent" means any person selling or distributing
nursery stock under the partial or full control of a
nurseryman.

(2) "Aquatic plant" means any plant, including a
floating, immersed, submersed, or ditch bank species, growing
in or closely associated with an aquatic environment, and
includes any part or seed of such plant.

(3) "Arthropod" means any segmented invertebrate
animal having jointed appendages and an exoskeleton, including
insects, spiders, ticks, mites, and scorpions, but excluding
crustaceans for the purpose of this chapter.

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1 (4) "Authorized representative" means any designated
2 employee, inspector, or collaborator of the division or the
3 United States Department of Agriculture.

4 (5) "Certificate of inspection" means an official
5 document stipulating compliance with the requirements of this
6 chapter. The term "certificate" includes label, rubber stamp
7 imprint, tag, permit, written statement, or any form of
8 inspection and certification document which accompanies the
9 movement of inspected and certified plant material and plant
10 products.

11 (6) "Certificate of registration" means an official
12 document issued by the division to nurseries, stock dealers,
13 agents, and plant brokers as evidence of being properly
14 registered with the division in compliance with the
15 requirements of this chapter and of any of the rules
16 promulgated hereunder.

17 (7) "Citrus" means all plants, plant parts, and plant
18 products, including seed and fruit, of all genera, species,
19 and varieties of the Rutaceous subfamilies Aurantioideae,
20 Rutoideae, and Toddalioidae, unless specifically excluded by
21 the rules of the department.

22 (8) "Collaborator" means a person cooperating with the
23 division in some capacity, who has been officially designated
24 to perform certain duties for the division.

25 (9) "Compliance agreement" means a written agreement
26 between the department and any person engaged in growing,
27 handling, or moving articles, plants, or plant products
28 regulated under this chapter, wherein the person agrees to
29 comply with stipulated requirements.

30 (10) "Department" means the Department of Agriculture
31 and Consumer Services of the state or its authorized

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1 representative.

2 (11) "Director" means the director of the Division of
3 Plant Industry.

4 (12) "Distribution" means the movement of nursery
5 stock from the property where it is grown or kept to any other
6 noncontiguous property, regardless of the ownership of the
7 properties concerned.

8 (13) "Division" means the Division of Plant Industry
9 of the Department of Agriculture and Consumer Services.

10 (14) "Genetically engineered organism" means an
11 organism altered or produced through genetic modification from
12 a donor, vector, or recipient organism using recombinant DNA
13 techniques.

14 (15) "Invasive plant" means a naturalized exotic plant
15 that disrupts naturally occurring native plant communities.

16 (16) "Move" means to ship, offer for shipment, receive
17 for transportation, carry, or otherwise transport.

18 ~~(17)(16)~~ "Museum" means the Florida State Collection
19 of Arthropods.

20 ~~(18)(17)~~ "Noxious aquatic plant" means any part,
21 including, but not limited to, seeds or reproductive parts, of
22 an aquatic plant that has the potential to hinder the growth
23 of beneficial plants, interfere with irrigation or navigation,
24 or adversely affect the public welfare or the natural
25 resources of this state.

26 ~~(19)(18)~~ "Noxious weed" means any living stage,
27 including, but not limited to, seeds and productive parts, of
28 a parasitic or other plant of a kind, or subdivision of a
29 kind, which may be a serious agricultural threat in Florida or
30 have a negative impact on the plant species protected under s.
31 581.185.

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1 ~~(20)(19)~~ "Nursery" means any grounds or premises on or
 2 in which nursery stock is grown, propagated, or held for sale
 3 or distribution, except where aquatic plant species are tended
 4 for harvest in the natural environment.

5 ~~(21)(20)~~ "Nurseryman" means any person engaged in the
 6 production of nursery stock for sale or distribution.

7 ~~(22)(21)~~ "Nursery stock" means all plants, trees,
 8 shrubs, vines, bulbs, cuttings, grafts, scions, or buds grown
 9 or kept for or capable of propagation or distribution, unless
 10 specifically excluded by the rules of the department.

11 ~~(23)(22)~~ "Official organ" means a printed document
 12 published by the division for notification to the public and
 13 industries in matters relating to division activities and in
 14 which official announcements may be made.

15 ~~(24)(23)~~ "Places" means vessels, railroad cars,
 16 automobiles, aircraft, and other vehicles; buildings; docks;
 17 nurseries; orchards; and other premises where plants or plant
 18 products are grown, kept, or handled.

19 ~~(25)(24)~~ "Plant broker" means a person who transacts
 20 the transfer of plants from a seller to a buyer and who may or
 21 may not be in actual physical possession of the plants.

22 ~~(26)(25)~~ "Plant pest" means any living stage of any
 23 insects, mites, nematodes, slugs, snails, protozoa, or other
 24 invertebrate animals, bacteria, fungi, other parasitic plants
 25 or their reproductive parts, or viruses, or any organisms
 26 similar to or allied with any of the foregoing, including any
 27 genetically engineered organisms, or any infectious substances
 28 which can directly or indirectly injure or cause disease or
 29 damage in any plants or plant parts or any processed,
 30 manufactured, or other plant products.

31 ~~(27)(26)~~ "Plants and plant products" means trees,

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1 shrubs, vines, forage and cereal plants, and all other plants
 2 and plant parts, including cuttings, grafts, scions, buds,
 3 fruit, vegetables, roots, bulbs, seeds, wood, lumber, and all
 4 products made from them, unless specifically excluded by the
 5 rules of the department.

6 ~~(28)(27)~~ "Quarantine" means an official order issued
 7 by the department that regulates the movement of articles,
 8 plants, or plant products to prevent the spread of disease or
 9 pests.

10 ~~(29)(28)~~ "Stock dealer" means any person not a grower
 11 of nursery stock in this state who buys or otherwise acquires
 12 nursery stock for the purpose of reselling independently of
 13 any control of a nurseryman, agent, or plant broker, and who
 14 at any time maintains physical possession of such nursery
 15 stock.

16 ~~(30)(29)~~ "Technical council" means the Plant Industry
 17 Technical Council.

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20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 On page 2, line 10, after "reference;"

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24 and insert:

25 amending s. 581.011, F.S.; to define "invasive
 26 plant,"

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