

Bill No. CS for CS for SB 1372

Barcode 143956

CHAMBER ACTION

Senate

House

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Comm: RCS
03/16/2007 10:32 AM

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The Committee on General Government Appropriations (Jones)
recommended the following amendment:

Senate Amendment (with title amendment)

On page 16, line 14, through
page 17, line 23, delete those lines

and insert:

(d) Local government regulation of the agricultural
uses authorized by s. 791.012, Florida Statutes, may be
inconsistent with legitimate agricultural purposes;

(e) There is a need for consumer education relating to
safety standards in the use of consumer fireworks;

(f) There is a need for standards concerning tents and
other temporary retail facilities selling consumer fireworks;

and

(g) The state would benefit from additional funding
for the training and education of fire officials.

(2)(a) The Consumer Fireworks Task Force is created
within the Department of Agriculture and Consumer Services for
the purpose of studying issues concerning the proper use of

Bill No. CS for CS for SB 1372

Barcode 143956

1 consumer fireworks, the regulation of sales and temporary sale
 2 facilities for consumer fireworks, the regulation of the hours
 3 and location of the use of consumer fireworks, the property
 4 zoning classifications for sale facilities for consumer
 5 fireworks, the funding options for fire official training and
 6 education, and funding options for clean-up of expended
 7 consumer fireworks products.

8 (b)1. The task force shall consist of eight members
 9 appointed as follows: two members appointed by the President
 10 of the Senate, one of whom must be from a list of nominees
 11 recommended by the Florida League of Cities and one of whom
 12 must be a representative of the industry; two members
 13 appointed by the Speaker of the House of Representatives, one
 14 of whom must be from a list of nominees recommended by the
 15 Florida Association of Counties and one of whom must be a
 16 representative of the industry; three members appointed by the
 17 Commissioner of Agriculture, one of whom must be a
 18 representative of the Division of Forestry of the Florida
 19 Department of Agriculture and Consumer Services and one of
 20 whom must be a representative of the industry; and one member
 21 appointed by the Chief Financial Officer.

22 2. Members shall choose a chair and vice chair from
 23 its membership.

24 3. Members shall serve without compensation, except
 25 that members are entitled to reimbursement for per diem and
 26 travel expenses, pursuant to s. 112.061, Florida Statutes,
 27 incurred in the performance of their duties.

28 (3) Staffing for the task force shall be provided by
 29 the Department of Agriculture and Consumer Services.

30 (4) The task force shall review and evaluate the
 31 issues identified in paragraph (2)(a) and take public input

Bill No. CS for CS for SB 1372

Barcode 143956

1 and testimony concerning the issues. A report of the
 2 recommendations and findings of the task force shall be
 3 submitted to the President of the Senate and the Speaker of
 4 the House of Representatives by January 15, 2008, and the task
 5 force shall be abolished upon the transmittal of the report.

6 (5) Pending completion of the Legislature's review of
 7 the task force's report and to ensure that fire prevention and
 8 safety standards are uniform, a new permanent retail sales
 9 facility engaged in sales otherwise permitted under s. 791.02,
 10 Florida Statutes, may not be opened in this state after March
 11 8, 2007, unless the permanent retail sales facility has
 12 received site-plan approval and construction has begun on or
 13 before March 8, 2007; the number of permits for temporary
 14 retail sales facilities, such as tents, engaged in sales
 15 otherwise permitted by s. 791.02, Florida Statutes, which are
 16 issued after March 8, 2007, by a county, municipality, or
 17 other unit of local government may not exceed the number of
 18 permits that such governmental entity issued for such
 19 facilities during the previous calendar year; and a
 20 municipality, county, or other unit of local government may
 21 not adopt an ordinance, rule, regulation, or other law after
 22 March 8, 2007, which directly prohibits or directly interferes
 23 with the safety standards established by state law or the
 24 right to purchase, sell, use, or possess consumer fireworks in
 25 this state. However, if the Legislature enacts legislation to
 26 provide for the comprehensive regulation of fire prevention
 27 and safety standards for the use of consumer fireworks to
 28 replace this subsection on or before July 1, 2008, this
 29 subsection does not prohibit opening any such facility,
 30 permitting any such temporary facility, or adopting any such
 31 ordinance or other law after such legislation is enacted.

Bill No. CS for CS for SB 1372

Barcode 143956

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

2 And the title is amended as follows:

3 On page 2, line 17, after the first semicolon,

4

5 insert:

6 prohibiting the opening or permitting of
7 certain facilities for the retail sale of
8 fireworks or the adoption of certain ordinances
9 or other laws by local governments under
10 specified conditions concerning the adoption of
11 uniform fire prevention and safety standards;

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