

Bill No. CS for CS for SB 1372

Barcode 512206

CHAMBER ACTION

Senate

House

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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, is
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

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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 a representative of a
 11 municipality in this state and one of whom must be a
 12 representative of the industry; two members appointed by the
 13 Speaker of the House of Representatives, one of whom must be a
 14 representative of a county in this state and one of whom must
 15 be a representative of the industry; three members appointed
 16 by the Commissioner of Agriculture, one of whom must be a
 17 representative of the Division of Forestry of the Florida
 18 Department of Agriculture and Consumer Services and one of
 19 whom must be a representative of the industry; and one member
 20 appointed by the Chief Financial Officer.

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

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

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

29 (4) The task force shall review and evaluate the
 30 issues identified in paragraph (2)(a) and take public input
 31 and testimony concerning the issues. A report of the

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

5 (5) Pending completion of the Legislature's review of
 6 the task force's report and to ensure that fire prevention and
 7 safety standards are uniform, a new permanent retail sales
 8 facility engaged in sales otherwise permitted under s. 791.02,
 9 Florida Statutes, may not be opened in this state after March
 10 8, 2007, and a municipality, county, or other unit of local
 11 government may not adopt an ordinance, rule, regulation, or
 12 other law after March 8, 2007, which prohibits or interferes
 13 with the safety standards established by state law or the
 14 right to purchase, sell, use, or possess consumer fireworks in
 15 this state; however, if the Legislature enacts legislation to
 16 provide for the comprehensive regulation of fire prevention
 17 and safety standards for the use of consumer fireworks to
 18 replace this subsection on or before July 1, 2008, this
 19 subsection does not prohibit opening any such facility or
 20 adopting any such ordinance after such legislation is enacted.

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

24 And the title is amended as follows:

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

26

27 insert:

28 prohibiting the opening of certain facilities
 29 for the retail sale of fireworks or the
 30 adoption of certain ordinances or other laws by
 31 local governments under specifies conditions

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1 concerning the adoption of uniform fire
2 prevention and safety standards;
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