

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Nelson offered the following:

2
3 **Amendment (with title amendment)**

4 On page 11, between line 2 and 3, insert:

5
6 Section 9. Section 576.092, Florida Statutes, is created
7 to read:

8 576.092 Consumer Fertilizer Task Force.--

9 (1) The Legislature finds that:

10 (a) There is a need for better training and education
11 regarding the proper use of consumer fertilizers.

12 (b) There should exist a mechanism to help local
13 governments promote and encourage the proper use of fertilizers,
14 thereby eliminating or minimizing the potential for
15 environmental impacts.

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16 (c) Local government regulation of fertilizer uses for
17 nonagricultural applications should be based on sound science,
18 including water quality, agronomics, and horticulture.

19 (d) There is a need for education regarding the use of
20 consumer fertilizers.

21 (e) There is a need for improved standards regarding
22 nonagricultural fertilizer use and application.

23 (f) While the constituents in fertilizer are naturally
24 occurring in the environment, the improper use of fertilizer can
25 be one of many contributors to nonpoint source pollution.

26 (g) The state's local governments are potentially subject
27 to regulatory enforcement action by state or federal entities as
28 a result of nonpoint source pollution caused by stormwater
29 runoff.

30 (2) (a) There is hereby created the Consumer Fertilizer
31 Task Force within the Department of Agriculture and Consumer
32 Services for the purposes of:

33 1. Assessing existing data and information regarding
34 nutrient enrichment and surface waters due to fertilizer,
35 assessing management strategies for reducing water quality
36 impacts associated with fertilizer, and identifying additional
37 research needs.

38 2. Developing statewide guidelines governing
39 nonagricultural fertilizer use rates, formulations, and
40 applications with attention to the geographic regions identified
41 in Rule 5E-1.003, Florida Administrative Code.

42 3. Taking public input and testimony concerning the issues
43 in this section.

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44 4. Recommending methods to ensure local ordinances are
45 based on best available data and science and to achieve
46 uniformity among local government ordinances where possible,
47 unless local ordinance variations are necessary to meet mandated
48 state and federal water quality standards.

49 5. Developing model ordinances for municipalities and
50 counties concerning the use of nonagricultural fertilizer.

51 (b)1. The task force shall consist of 13 members who are
52 technically qualified by training, education, or experience in
53 water quality, horticultural, or agronomic science, and who
54 shall be appointed as follows: three members appointed by the
55 President of the Senate, one of whom shall be a representative
56 from the Department of Environmental Protection, one of whom
57 shall be a representative of the environmental community, and
58 one of whom shall be a member of the Senate; three members
59 appointed by the Speaker of the House of Representatives, one of
60 whom shall be a representative from a water management district,
61 one of whom shall be a representative of the University of
62 Florida's Institute for Food and Agricultural Sciences, and one
63 of whom shall be a member of the House of Representatives; five
64 members appointed by the Commissioner of Agriculture, one of
65 whom shall be a representative from the Department of
66 Agriculture and Consumer Services, one of whom shall be a
67 representative from the Office of Agricultural Water Policy, one
68 of whom shall be a representative from the national fertilizer
69 industry, one of whom shall be a representative from the
70 Florida-based fertilizer industry, and one of whom shall be a
71 registered landscape architect; one member appointed by the
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72 Florida League of Cities, Inc.; and one member appointed by the
73 Florida Association of Counties.

74 2. Members shall choose a chair and vice chair from the
75 membership of the task force.

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

78 (4) The task force shall review and evaluate the issues
79 identified in paragraph (2) (a) and take public testimony. A
80 report of the recommendations and findings of the task force,
81 including recommendations for statutory changes, if any, shall
82 be submitted to the President of the Senate and the Speaker of
83 the House of Representatives by January 15, 2008, and the task
84 force shall be abolished upon the transmittal of the report.

85

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

87 On page 2, line 9,
88 remove: all of said line

89

90 and insert:

91

92 receptacle for any gas or compound; creating s. 576.092,
93 F.S.; creating the Consumer Fertilizer Task Force;
94 providing legislative findings; providing for task force
95 membership and appointment of a chair and vice chair;
96 requiring the department to staff the task force; requiring
97 a report to the Legislature by a time certain; providing
98 for abolition of the task force; providing

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