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CHAMBER ACTION

Senate

House

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Floor: AD/2R
5/1/2008 2:08 PM

1 The Conference Committee on CS for CS for SB 1702 recommended the
2 following **amendment**:

3
4 **Conference Committee Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Subsection (2) of section 20.14, Florida
8 Statutes, is reenacted.

9 Section 2. Subsection (1) of section 125.27, Florida
10 Statutes, is amended to read:

11 125.27 Countywide forest fire protection; authority of the
12 Division of Forestry; state funding; county fire control
13 assessments; disposition; equipment donations.--

14 (1) The Division of Forestry of the Department of
15 Agriculture and Consumer Services and the board of county
16 commissioners of each county in this state shall enter into
17 agreements for the establishment and maintenance of countywide



416828

18 fire protection of all forest and wild lands within said county,
19 with the total cost of such fire protection being funded by state
20 and federal funds. Each county shall, under the terms of such
21 agreements, be assessed each fiscal year, as its share of the
22 cost of providing such fire protection, a sum in dollars equal to
23 the total forest and wild land acreage of the county, as
24 determined by the Division of Forestry, multiplied by 7 3 cents.
25 The forest and wild lands acreage included in such agreements
26 shall be reviewed each year by the contracting parties and the
27 number of forest and wild land acres and the annual fire control
28 assessment adjusted so as to reflect the current forest acreage
29 of the county. In the event the division and the county
30 commissioners do not agree, the Board of Trustees of the Internal
31 Improvement Trust Fund shall make such acreage determination. All
32 fire control assessments received by the Division of Forestry
33 from the several counties under agreements made pursuant to this
34 section shall be deposited as follows:

35 (a) An amount equal to the total forest land and wild land
36 acreage of the counties, multiplied by 4 cents, shall be
37 distributed to the Incidental Trust Fund of the Division of
38 Forestry; and

39 (b) An amount equal to the total forest land and wild land
40 acreage of the counties, multiplied by 3 cents, shall be
41 distributed to ~~into~~ the General Revenue Fund.

42 Section 3. Effective October 1, 2008, subsection (2) of
43 section 370.07, Florida Statutes, is amended to read:

44 370.07 Wholesale and retail saltwater products dealers;
45 regulation.--

46 (2) LICENSES; AMOUNT, TRUST FUND.--



416828

47 (a) A resident wholesale county seafood dealer is required
48 to pay an annual license tax of \$400 ~~\$300~~.

49 (b) A resident wholesale state dealer is required to pay an
50 annual license tax of \$550 ~~\$450~~.

51 (c) A nonresident wholesale county dealer is required to
52 pay an annual license tax of \$600 ~~\$500~~.

53 (d) A nonresident wholesale state dealer is required to pay
54 an annual license tax of \$1,100 ~~\$1,000~~.

55 (e) An alien wholesale county dealer is required to pay an
56 annual license tax of \$1,100 ~~\$1,000~~.

57 (f) An alien wholesale state dealer is required to pay an
58 annual license tax of \$1,600 ~~\$1,500~~.

59 (g) A resident retail dealer is required to pay an annual
60 license tax of \$75 ~~\$25~~; however, if such a dealer has more than
61 one place of business, the dealer shall designate one place of
62 business as a central place of business, shall pay an annual
63 license tax of \$75 ~~\$25~~ for such place of business, and shall pay
64 an annual license tax of \$25 ~~\$10~~ for each other place of
65 business.

66 (h) A nonresident retail dealer is required to pay an
67 annual license tax of \$250 ~~\$200~~; however, if such a dealer has
68 more than one place of business, the dealer shall designate one
69 place of business as a central place of business, shall pay an
70 annual license tax of \$250 ~~\$200~~ for such place of business, and
71 shall pay an annual license tax of \$40 ~~\$25~~ for each other place
72 of business.

73 (i) An alien retail dealer is required to pay an annual
74 license tax of \$300 ~~\$250~~; however, if such a dealer has more than
75 one place of business, the dealer shall designate one place of
76 business as a central place of business, shall pay an annual



416828

77 license tax of \$300 ~~\$250~~ for such place of business, and shall
78 pay an annual license tax of \$65 ~~\$50~~ for each other place of
79 business.

80 (j) License or privilege taxes, together with any other
81 funds derived from the Federal Government or from any other
82 source, shall be deposited in a Florida Saltwater Products
83 Promotion Trust Fund to be administered by the Department of
84 Agriculture and Consumer Services for the sole purpose of
85 promoting all fish and saltwater products produced in this state,
86 except that 4 percent of the total wholesale and retail saltwater
87 products dealer's license fees collected shall be deposited into
88 the Marine Resources Conservation Trust Fund administered by the
89 Fish and Wildlife Conservation Commission for the purpose of
90 processing wholesale and retail saltwater products dealer's
91 licenses.

92 Section 4. Paragraph (b) of subsection (1) and paragraph
93 (c) of subsection (2) of section 487.041, Florida Statutes, are
94 amended to read:

95 487.041 Registration.--

96 (1)

97 (b) For the purpose of defraying expenses of the department
98 in connection with carrying out the provisions of this part, each
99 person shall pay an annual registration fee of \$350 ~~\$250~~ for each
100 registered brand of pesticide. The annual registration fee for
101 each special local need label and experimental use permit is
102 \$100. All registrations expire on December 31 of each year. If
103 the renewal of a brand of pesticide, including the special local
104 need label and experimental use permit, is not filed by January
105 31 of the renewal year, an additional fee of \$25 per brand of
106 pesticide shall be assessed per month and added to the original



416828

107 fee. This additional fee may not exceed \$250 per brand of
108 pesticide. The additional fee must be paid by the registrant
109 before the renewal certificate for the registration of the brand
110 of pesticide is issued.

111 (2)

112 (c) Each registration issued by the department to a
113 registrant for a period beginning in an odd-numbered year shall
114 be assessed a fee of \$700 ~~\$500~~ per brand of pesticide and a fee
115 of \$200 for each special local need label and experimental use
116 permit, and the registration shall expire on December 31 of the
117 following year. Each registration issued by the department to a
118 registrant for a period beginning in an even-numbered year shall
119 be assessed a fee of \$350 ~~\$250~~ per brand of pesticide and fee of
120 \$100 for each special local need label and experimental use
121 permit, and the registration shall expire on December 31 of that
122 year.

123 Section 5. Paragraph (b) of subsection (1) of section
124 500.12, Florida Statutes, is amended to read:

125 500.12 Food permits; building permits.--

126 (1)

127 (b) An application for a food permit from the department
128 must be accompanied by a fee in an amount determined by
129 department rule, which may not exceed \$650 ~~\$500~~ and shall be used
130 solely for the recovery of costs for the services provided,
131 except that the fee accompanying an application for a food permit
132 for operating a bottled water plant may not exceed \$1,000 and the
133 fee accompanying an application for a food permit for operating a
134 packaged ice plant may not exceed \$250. The fee for operating a
135 bottled water plant or a packaged ice plant shall be set by rule
136 of the department. Food permits must be renewed annually on or



416828

137 before January 1. If an application for renewal of a food permit
138 is not received by the department within 30 days after its due
139 date, a late fee, in an amount not exceeding \$100, must be paid
140 in addition to the food permit fee before the department may
141 issue the food permit. The moneys collected shall be deposited in
142 the General Inspection Trust Fund.

143 Section 6. Subsection (3) of section 559.928, Florida
144 Statutes, is amended to read:

145 559.928 Registration.--

146 (3) Each independent agent shall annually file an affidavit
147 with the department prior to engaging in business in this state.
148 This affidavit must include the independent agent's full name,
149 legal business or trade name, mailing address, business address,
150 telephone number, social security number, and the name or names
151 and addresses of each seller of travel represented by the
152 independent agent. A letter evidencing proof of filing must be
153 issued by the department and must be prominently displayed in the
154 independent agent's primary place of business. Each independent
155 agent must also submit an annual registration fee of \$50. All
156 moneys collected pursuant to the imposition of the fee shall be
157 deposited by the Chief Financial Officer into the General
158 Inspection Trust Fund of the Department of Agriculture and
159 Consumer Services for the sole purpose of administrating this
160 part. As used in this subsection, the term "independent agent"
161 means a person who represents a seller of travel by soliciting
162 persons on its behalf; who has a written contract with a seller
163 of travel which is operating in compliance with this part and any
164 rules adopted thereunder; who does not receive a fee, commission,
165 or other valuable consideration directly from the purchaser for
166 the seller of travel; who does not at any time have any unissued



416828

167 | ticket stock or travel documents in his or her possession; and
168 | who does not have the ability to issue tickets, vacation
169 | certificates, or any other travel document. The term "independent
170 | agent" does not include an affiliate of the seller of travel, as
171 | that term is used in s. 559.935(3), or the employees of the
172 | seller of travel or of such affiliates.

173 | Section 7. Subsection (1) of section 576.041, Florida
174 | Statutes, is amended to read:

175 | 576.041 Inspection fees; records; bond.--

176 | (1) Every licensee shall pay to the department an
177 | inspection fee in the amount of \$1 ~~75 cents~~ per ton for
178 | fertilizer sold in the state, except raw ground phosphate rock,
179 | soft phosphate, colloidal phosphate, phosphatic clays and all
180 | other untreated phosphatic materials, gypsum, hydrated lime,
181 | limestone, and dolomite when sold or used for agricultural
182 | purposes, on which the inspection fee shall be 30 cents per ton.
183 | All fees paid to the department under this section shall be
184 | deposited into the State Treasury to be placed in the General
185 | Inspection Trust Fund to be used for the sole purpose of funding
186 | the fertilizer inspection program.

187 | Section 8. Paragraph (b) of subsection (1) of section
188 | 580.041, Florida Statutes, is amended to read:

189 | 580.041 Master registration; fee; refusal or cancellation
190 | of registration.--

191 | (1)

192 | (b) The registration form shall be accompanied by a fee
193 | that shall be based on tons of feed distributed in this state
194 | during the previous year. If a distributor has been in business
195 | less than 1 year, the tonnage shall be estimated by the



416828

196 distributor for the first year and based on actual tonnage
197 thereafter. These fees shall be as follows:

199	SALES IN TONS	FEE
201	Zero, up to and including 25....	\$40 <u>\$25</u>
202	More than 25, up to and including 50....	\$75 <u>\$50</u>
203	More than 50, up to and including 100....	\$150 <u>\$100</u>
204	More than 100, up to and including 300....	\$375 <u>\$300</u>
205	More than 300, up to and including 600....	\$600 <u>\$500</u>
206	More than 600, up to and including 1,000....	\$900 <u>\$750</u>
207	More than 1,000, up to and including 2,000....	\$1,250 <u>\$1,000</u>
208	More than 2,000, up to and including 5,000....	\$2,000 <u>\$1,500</u>
209	More than 5,000....	\$3,500 <u>\$2,500</u>

210 Section 9. Paragraph (h) of subsection (1) of section
211 597.004, Florida Statutes, is amended to read:

212 597.004 Aquaculture certificate of registration.--

213 (1) CERTIFICATION.--Any person engaging in aquaculture must
214 be certified by the department. The applicant for a certificate
215 of registration shall submit the following to the department:

216 (h) One-hundred ~~Fifty~~ dollar annual registration fee.

217 Section 10. Paragraph (e) of subsection (3) of section
218 601.15, Florida Statutes, is amended to read:

219 601.15 Advertising campaign; methods of conducting; excise
220 tax; emergency reserve fund; citrus research.--

221 (3)

222 (e) The commission, upon an affirmative vote of a majority
223 of its members and by an order entered by it prior to November
224 ~~August~~ 1 of any year, may set the tax rates up to the maximum
225 rates specified in this subsection ~~if the commission determines~~



416828

226 ~~that the specified tax rate will result in collection of funds,~~
227 ~~during the ensuing citrus season, which exceed projected needs,~~
228 ~~including all legal obligations.~~ The tax rate shall apply only to
229 the citrus season which began on August 1 of the same calendar
230 year immediately follows entry of the order setting the rate.

231 Such tax rate may be applied by variety and on the basis of
232 whether the fruit enters the primary channel of trade for use in
233 fresh or processed form. If the commission cannot agree on a box
234 tax rate, the tax rate for the previous year shall remain in
235 effect until the commission approves a new rate.

236 Section 11. Section 570.191, Florida Statutes, is amended
237 to read:

238 570.191 Agricultural Emergency Eradication Trust
239 Fund.--There is created in the office of the commissioner the
240 Agricultural Emergency Eradication Trust Fund. Funds in the trust
241 fund may be made available for the promotion, advancement, and
242 protection of agriculture in this state, including maintaining or
243 increasing market share and suppressing or eradicating wildfire,
244 animal or plant disease, insect infestation, or a plant or pest
245 that endangers or threatens agriculture upon certification by the
246 ~~commissioner that an agricultural emergency exists and that funds~~
247 ~~specifically appropriated for the emergency's purpose are~~
248 ~~exhausted or insufficient to eliminate the agricultural~~
249 ~~emergency. The term "agricultural emergency" means an animal or~~
250 ~~plant disease, insect infestation, or plant or pest endangering~~
251 ~~or threatening the horticultural, aquacultural, or other~~
252 ~~agricultural interests in this state.~~

253 Section 12. Section 570.1911, Florida Statutes, is
254 repealed.

255 Section 13. Section 585.105, Florida Statutes, is repealed.



416828

256 Section 14. Except as otherwise expressly provided in this
257 act, this act shall take effect July 1, 2008.

258
259 ===== T I T L E A M E N D M E N T =====

260 And the title is amended as follows:

261 Delete everything before the enacting clause
262 and insert:

263 A bill to be entitled
264 An act relating to agriculture; reenacting s. 20.14(2),
265 F.S., relating to the Department of Agriculture and
266 Consumer Services; amending s. 125.27, F.S.; increasing
267 the annual countywide fire control assessment; requiring
268 that certain portions of the assessment be distributed
269 into the Incidental Trust Fund of the Division of Forestry
270 and the General Revenue Fund; amending s. 370.07, F.S.;
271 increasing the annual license tax imposed on wholesale and
272 retail saltwater products dealers; amending s. 487.041,
273 F.S.; increasing the registration fee imposed on each
274 brand of pesticide that is distributed, sold, or offered
275 for sale; amending s. 500.12, F.S.; increasing the maximum
276 amount allowed for a food permit application fee; amending
277 s. 559.928, F.S.; requiring that independent agents pay an
278 annual registration fee; specifying an amount for such
279 fee; providing for the deposit and use of moneys obtained
280 from the collection of such fee; amending s. 576.041,
281 F.S.; increasing the fertilizer inspection fee; amending
282 s. 580.041, F.S.; increasing the master registration fees
283 imposed on commercial feed distributors; amending s.
284 597.004, F.S.; increasing the registration fee for
285 aquaculture certification; amending s. 601.15, F.S.;



416828

286 | revising the deadline by which the Florida Citrus
287 | Commission sets the annual citrus excise tax rate;
288 | deleting a provision requiring the commission to consider
289 | certain projected collection of taxes in setting the rate;
290 | conforming provisions relating to the season upon which
291 | the tax rate applies; amending s. 570.191, F.S.; providing
292 | for money in the Agricultural Emergency Eradication Trust
293 | Fund to be made available under certain circumstances for
294 | specified additional purposes; repealing s. 570.1911,
295 | F.S., relating to notice of certification of an
296 | agricultural emergency; repealing s. 585.105, F.S.,
297 | relating to the purchase, distribution, and administration
298 | of approved brucella vaccine by the department; providing
299 | effective dates.