



709514

LEGISLATIVE ACTION

Senate

House

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05/05/2011 03:01 PM

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Senator Siplin moved the following:

**Senate Amendment (with title amendment)**

Between lines 1377 and 1378

insert:

Section 47. (1) The Division of Forestry of the Department of Agriculture and Consumer Services is renamed the "Florida Forest Service."

(2) The Legislature recognizes that there is a need to conform the Florida Statutes to the organizational changes in this act and that there may be a need to resolve apparent conflicts with any other legislation that has been or may be enacted during the 2011 Regular Session or an extension thereof. Therefore, in the interim between this act becoming law and the



709514

14 2012 Regular Session of the Legislature or an earlier special  
15 session addressing this issue, the Division of Statutory  
16 Revision shall provide the relevant substantive committees of  
17 the Senate and the House of Representatives with assistance,  
18 upon request, to enable such committees to prepare draft  
19 legislation to conform the Florida Statutes and any legislation  
20 enacted during 2011 to the provisions of this act.

21 Section 48. Paragraph (h) of subsection (2) of section  
22 20.14, Florida Statutes, is amended to read:

23 20.14 Department of Agriculture and Consumer Services.—  
24 There is created a Department of Agriculture and Consumer  
25 Services.

26 (2) The following divisions of the Department of  
27 Agriculture and Consumer Services are established:

28 (h) Florida Forest Service Forestry.

29 Section 49. Subsections (4) and (11) of section 261.03,  
30 Florida Statutes, are amended to read:

31 261.03 Definitions.—As used in this chapter, the term:

32 (4) "Division" means the Florida Forest Service ~~Division of~~  
33 ~~Forestry of the Department of Agriculture and Consumer Services.~~

34 (11) "Trust fund" means the Incidental Trust Fund of the  
35 Florida Forest Service ~~Division of Forestry of the Department of~~  
36 ~~Agriculture and Consumer Services.~~

37 Section 50. Subsection (8) of section 570.29, Florida  
38 Statutes, is amended to read:

39 570.29 Departmental divisions.—The department shall include  
40 the following divisions:

41 (8) Florida Forest Service Forestry.

42 Section 51. Section 570.548, Florida Statutes, is amended



709514

43 to read:

44 570.548 Florida Forest Service ~~Division of Forestry~~; powers  
45 and duties.—The duties of the Florida Forest Service ~~Division of~~  
46 ~~Forestry~~ include, but are not limited to, administering and  
47 enforcing those powers and responsibilities of the Florida  
48 Forest Service ~~division~~ prescribed in chapters 589, 590, and 591  
49 and ~~the~~ rules adopted under those chapters ~~pursuant thereto~~ and  
50 in other forest fire, forest protection, and forest management  
51 laws of this state.

52 Section 52. Section 570.549, Florida Statutes, is amended  
53 to read:

54 570.549 Director; duties.—

55 (1) The director of the Florida Forest Service ~~Division of~~  
56 ~~Forestry~~ shall be appointed by the commissioner and shall serve  
57 at the commissioner's pleasure.

58 (2) ~~It shall be the duty of~~ The director shall ~~of this~~  
59 ~~division to~~ direct and supervise the overall operation of the  
60 Florida Forest Service ~~division~~ and ~~to~~ exercise such other  
61 powers and duties as authorized by the department.

62 Section 53. subsection (1) of section 570.903, Florida  
63 Statutes, is amended to read:

64 570.903 Direct-support organization.—

65 (1) When the Legislature authorizes the establishment of a  
66 direct-support organization to provide assistance for the  
67 museums, the Florida Agriculture in the Classroom Program, the  
68 Florida State Collection of Arthropods, the Friends of the  
69 Florida State Forests Program of the Florida Forest Service  
70 ~~Division of Forestry~~, and the Forestry Arson Alert Program, and  
71 other programs of the department, the following provisions shall



709514

72 govern the creation, use, powers, and duties of the direct-  
73 support organization:—

74 (a) The department shall enter into a memorandum or letter  
75 of agreement with the direct-support organization, which shall  
76 specify the approval of the department, the powers and duties of  
77 the direct-support and rules with which the direct-support  
78 organization must ~~shall~~ comply.

79 (b) The department may permit, without charge, appropriate  
80 use of property, facilities, and personnel of the department by  
81 a direct-support organization, subject to ~~the provisions of~~ ss.  
82 570.902 and 570.903. The use shall be directly in keeping with  
83 the approved purposed of the direct-support organization and may  
84 ~~shall~~ not be made at times or places that would unreasonably  
85 interfere with opportunities for the general public to use  
86 department facilities for established purposes.

87 (c) The department shall prescribe by contract or by rule  
88 conditions with which a direct-support organization must ~~shall~~  
89 comply in order to use property, facilities, or personnel of the  
90 department or museum. Such rules shall provide for budget and  
91 audit review and oversight by the department.

92 (d) The department may ~~shall~~ not permit the use of  
93 property, facilities, or personnel of the museum, department, or  
94 designated program by a direct-support organization that ~~which~~  
95 does not provide equal employment opportunities to all personal  
96 regardless of race, color, religion, sex, age, or national  
97 origin.

98 Section 53. Subsection (1) of section 590.015, Florida  
99 Statutes, is amended to read:

100 590.015 Definitions.—As used in this chapter, the term:



709514

101           (1) "Division" means the Florida Forest Service ~~Division of~~  
102 ~~Forestry of the Department of Agriculture and Consumer Services.~~

103  
104 ===== T I T L E   A M E N D M E N T =====

105 And the title is amended as follows:

106           Delete line 231

107 and insert:

108           products; renaming the department's Division of  
109           Forestry as the Florida Forest Service; providing for  
110           conforming legislation; providing for assistance to  
111           certain legislative substantive committees by the  
112           Division of Statutory Revision of the Office of  
113           Legislative Services for certain purposes; amending  
114           ss. 20.14, 261.03, 570.29, 570.548, 570.549, 570.903,  
115           and 590.015, F.S., to conform; providing an effective  
116           date.