

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Porter offered the following:

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

4 Between lines 1820 and 1821, insert:

5 Section 62. (1) The Division of Forestry of the  
6 Department of Agriculture and Consumer Services is renamed the  
7 "Florida Forest Service."

8 (2) The Legislature recognizes that there is a need to  
9 conform the Florida Statutes to the organizational changes in  
10 this act and that there may be a need to resolve apparent  
11 conflicts with any other legislation that has been or may be  
12 enacted during the 2011 Regular Session or an extension thereof.  
13 Therefore, in the interim between this act becoming a law and  
14 the 2012 Regular Session of the Legislature or an earlier  
15 special session addressing this issue, the Division of Statutory  
16 Revision shall provide the relevant substantive committees of  
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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 63. 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 64. 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  
33 ~~of Forestry of the Department of Agriculture and Consumer~~  
34 ~~Services.~~

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

38 Section 65. Subsection (8) of section 570.29, Florida  
39 Statutes, is amended to read:

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

42 (8) Florida Forest Service Forestry.

43 Section 66. Section 570.548, Florida Statutes, is amended  
44 to read:

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

53           Section 67. Section 570.549, Florida Statutes, is amended  
54 to read:

55           570.549 Director; duties.—

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

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

63           Section 68. Subsection (1) of section 570.903, Florida  
64 Statutes, is amended to read:

65           570.903 Direct-support organization.—

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

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

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

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

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

99 Section 69. Subsection (1) of section 590.015, Florida  
100 Statutes, is amended to read:

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101 590.015 Definitions.—As used in this chapter, the term:

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

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108 **T I T L E A M E N D M E N T**

109 Remove line 216 and insert:

110 grow or produce certain farm products; renaming the  
111 department's Division of Forestry as the Florida Forest  
112 Service; providing for conforming legislation; providing  
113 for assistance to certain legislative substantive  
114 committees by the Division of Statutory Revision of the  
115 Office of Legislative Services for certain purposes;  
116 amending ss. 20.14, 261.03, 570.29, 570.548, 570.549,  
117 570.903, and 590.015, F.S., to conform; providing an