

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: State Affairs Committee  
 2 Representative Albritton offered the following:

3  
 4 **Amendment to Amendment (689433) by Representative Albritton**  
 5 **(with title amendment)**

6 Between lines 133 and 134 of the amendment, insert:  
 7 Section 4. Paragraph (a) of subsection (41) of section 570.07,  
 8 Florida Statutes, is amended to read:

9 570.07 Department of Agriculture and Consumer Services;  
 10 functions, powers, and duties.—The department shall have and  
 11 exercise the following functions, powers, and duties:

12 (41)(a) Except as otherwise provided in paragraph (b), to  
 13 exercise the exclusive authority to regulate the sale,  
 14 composition, packaging, labeling, wholesale and retail  
 15 distribution, nutrient application rates, and formulation,  
 16 including nutrient content level and release rates, of  
 17 fertilizer under chapter 576. This subsection expressly preempts  
 18 such regulation of fertilizer to the state and precludes the  
 19 adoption or enforcement of any local ordinance that regulates

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20 the application of fertilizer based upon the fertilizer's  
21 composition or formulation, including nutrient content level and  
22 release rates.

23 Section 5. Paragraph (a) of subsection (5) of section  
24 576.181, Florida Statutes, is amended to read:

25 576.181 Administration; rules; procedure.-

26 (5) (a) Except as otherwise provided in paragraph (b), the  
27 department has exclusive authority to regulate the sale,  
28 composition, packaging, labeling, wholesale and retail  
29 distribution, nutrient application rates, and formulation,  
30 including nutrient content level and release rates, of  
31 fertilizer. This subsection expressly preempts such regulation  
32 of fertilizer to the state and precludes the adoption or  
33 enforcement of any local ordinance that regulates the  
34 application of fertilizer based upon the fertilizer's  
35 composition or formulation, including nutrient content level and  
36 release rates.

40 -----  
41 **T I T L E A M E N D M E N T**

42 Remove line 267 of the amendment and insert:  
43 use of certain motor vehicles to transport citrus; amending ss.  
44 570.07 and 576.181, F.S.; preempting the regulation of  
45 fertilizer nutrient application rates to the state; providing  
46 for applicability of certain provisions preempting fertilizer  
47 regulations to the state; amending s.

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