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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/04/2013	.	
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Appropriations Subcommittee on General Government (Simpson)
recommended the following:

Senate Amendment (with title amendment)

Between lines 296 and 297
insert:

Section 7. Section 570.087, Florida Statutes, is created to
read:

570.087 Best management practices for wildlife.-

(1) LEGISLATIVE FINDINGS.—The Fish and Wildlife
Conservation Commission and the Department of Agriculture and
Consumer Services have long recognized that agriculture provides
a valuable benefit to the conservation and management of fish
and wildlife in this state and have agreed to enter into a



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13 memorandum of agreement to develop and adopt by rule voluntary
14 best management practices for this state's agriculture industry
15 which reflect the industry's existing contribution to the
16 conservation and management of freshwater aquatic life and wild
17 animal life in this state.

18 (2) DEVELOPMENT.—The Department of Agriculture and Consumer
19 Services shall enter into a memorandum of agreement with the
20 Fish and Wildlife Conservation Commission for the purpose of
21 developing the best management practices contemplated by this
22 section and their application on agricultural lands within this
23 state. This agreement may allow for selected pilot projects in
24 an effort to facilitate development of best management
25 practices.

26 (3) ADOPTION OF RULES.—The Department of Agriculture and
27 Consumer Services has rulemaking authority to adopt rules
28 establishing the best management practices contemplated by this
29 section for this state's agricultural industry. Such rules must
30 incorporate provisions for a notice of intent to implement the
31 practices and a system to assure the implementation of the
32 practices, including recordkeeping requirements.

33 (4) VOLUNTARY IMPLEMENTATION.—Notwithstanding any law to
34 the contrary, the implementation of the best management
35 practices contemplated by this section is voluntary. Except as
36 specifically provided herein, an agency, department, district,
37 or any unit of local government may not adopt or enforce any
38 ordinance, resolution, regulation, rule, or policy regarding the
39 best management practices on land classified as agricultural
40 land pursuant to s. 193.461.

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

43 And the title is amended as follows:

44 Between lines 18 and 19

45 insert:

46 creating s. 570.087, F.S.; providing legislative
47 findings; requiring the Department of Agriculture and
48 Consumer Services to enter into a memorandum of
49 agreement with the Fish and Wildlife Conservation
50 Commission for the purpose of developing voluntary
51 best management practices for this state's
52 agricultural industry; allowing for pilot projects;
53 providing that the department has rulemaking authority
54 for these purposes; requiring that rules provide for a
55 notice of intent to implement these practices;
56 emphasizing that implementation of the best management
57 practices created pursuant to this section is
58 voluntary; restricting the adoption or enforcement of
59 any law regarding the best management practices
60 created pursuant to this section;