

By the Committee on Agriculture; and Senator Montford

575-02590-13

20131628c1

1 A bill to be entitled
2 An act relating to the Department of Agriculture and
3 Consumer Services; amending s. 253.034, F.S.;
4 requiring public hearings relating to the development
5 of land management plans to be held in any one, rather
6 than each, county affected by such plans; amending s.
7 388.261, F.S.; revising provisions for the
8 distribution and use of state funds for local mosquito
9 control programs; amending s. 388.271, F.S.; revising
10 the date by which mosquito control districts must
11 submit their certified budgets for approval by the
12 department; amending s. 487.160, F.S.; deleting
13 provisions requiring the department to conduct a
14 survey and compile a report on restricted-use
15 pesticides; amending s. 534.083, F.S.; deleting
16 permitting requirements for livestock haulers;
17 amending s. 570.07, F.S.; clarifying the authority of
18 the department to regulate certain open burning;
19 creating s. 570.64, F.S.; establishing the duties of
20 the Division of Food, Nutrition, and Wellness within
21 the department; providing for a director of the
22 division; amending s. 570.902, F.S.; clarifying the
23 applicability of definitions relating to certain
24 designated programs and direct-support organizations;
25 amending s. 570.903, F.S.; authorizing the department
26 to establish direct-support organizations for museums
27 and other programs of the department; deleting
28 provisions that limit the establishment of direct-
29 support organizations to particular museums and

575-02590-13

20131628c1

30 programs; deleting provisions authorizing direct-
31 support organizations to enter into certain contracts
32 or agreements; clarifying provisions prohibiting
33 specified entities from receiving commissions, fees,
34 or financial benefits in connection with the sale or
35 exchange of real property and historical objects;
36 providing for the termination of agreements between
37 the department and direct-support organizations;
38 providing for the distribution of certain assets;
39 deleting provisions requiring the department to
40 establish certain procedures relating to museum
41 artifacts and records; amending s. 576.051, F.S.;
42 authorizing the department to establish certain
43 criteria for fertilizer sampling and analysis;
44 amending s. 576.061, F.S.; requiring the department to
45 adopt rules establishing certain investigational
46 allowances for fertilizer deficiencies; providing a
47 date by which such allowances are effective and other
48 allowances are repealed; amending s. 576.181, F.S.;
49 revising the department's authority to adopt rules
50 establishing certain criteria for fertilizer analysis;
51 amending s. 585.61, F.S.; deleting provisions for the
52 establishment of an animal disease diagnostic
53 laboratory in Suwannee County; amending s. 586.10,
54 F.S.; authorizing apiary inspectors to be certified
55 beekeepers under certain conditions; amending s.
56 589.02, F.S.; deleting annual and special meeting
57 requirements for the Florida Forestry Council;
58 amending s. 589.19, F.S.; establishing the Operation

575-02590-13

20131628c1

59 Outdoor Freedom Program within the Florida Forest
60 Service to replace provisions for the designation of
61 specified hunt areas in state forests for wounded
62 veterans and servicemembers; providing purpose and
63 intent of the program; providing eligibility
64 requirements for program participation; providing
65 exceptions from eligibility requirements for certain
66 activities; providing for deposit and use of funds
67 donated to the program; limiting the liability of
68 private landowners who provide land for designation as
69 hunting sites for purposes of the program; amending s.
70 589.30, F.S.; revising references to certain Florida
71 Forest Service personnel titles; amending s. 590.02,
72 F.S.; authorizing the Florida Forest Service to allow
73 certain types of burning; specifying that sovereign
74 immunity applies to certain planning level activities;
75 deleting provisions relating to the composition and
76 duties of the Florida Forest Training Center advisory
77 council; prohibiting government entities from banning
78 certain types of burning; authorizing the service to
79 delegate authority to special districts to manage
80 certain types of burning; revising such authority
81 delegated to counties and municipalities; amending s.
82 590.11, F.S.; revising the prohibition on leaving
83 certain recreational fires unattended, to which
84 penalties apply; amending s. 590.125, F.S.; revising
85 and providing definitions relating to open burning
86 authorized by the Florida Forest Service; revising
87 requirements for noncertified and certified burning;

575-02590-13

20131628c1

88 limiting the liability of the service and certain
89 persons related to certain burns; amending s. 590.25,
90 F.S.; revising provisions relating to criminal
91 penalties for obstructing the prevention, detection,
92 or suppression of wildfires; creating chapter 595,
93 F.S., to establish the Florida School Food and
94 Nutrition Act; creating s. 595.401, F.S.; providing a
95 short title; creating s. 595.402, F.S.; providing
96 definitions; creating s. 595.403, F.S.; declaring
97 state policy relating to school food and nutrition
98 services; transferring, renumbering, and amending ss.
99 570.98 and 570.981, F.S., relating to school food and
100 nutrition services and the Florida Farm Fresh Schools
101 Program; revising the department's duties and
102 responsibilities for administering such services and
103 program; revising requirements for school districts
104 and sponsors; transferring, renumbering, and amending
105 s. 570.982, F.S., relating to the children's summer
106 nutrition program; clarifying provisions; transferring
107 and renumbering s. 570.072, F.S., relating to
108 commodity distribution; creating s. 595.501, F.S.;
109 providing certain penalties; transferring,
110 renumbering, and amending s. 570.983, relating to the
111 Food and Nutrition Services Trust Fund; conforming a
112 cross-reference; transferring and renumbering s.
113 570.984, F.S., relating to the Healthy Schools for
114 Healthy Lives Council; amending s. 1001.42, F.S.;
115 requiring district school boards to perform duties
116 relating to school lunch programs as required by the

575-02590-13

20131628c1

117 department's rules; amending s. 1003.453, F.S.;

118 requiring each school district to electronically

119 submit a revised local school wellness policy to the

120 Department of Agriculture and Consumer Services and a

121 revised physical education policy to the Department of

122 Education; repealing ss. 487.0615, 570.382, 570.97,

123 and 590.50, F.S., relating to the Pesticide Review

124 Council, Arabian horse racing and the Arabian Horse

125 Council, the Gertrude Maxwell Save a Pet Direct-

126 Support Organization, and permits for the sale of

127 cypress products, respectively; amending ss. 487.041,

128 550.2625, and 550.2633, F.S.; conforming provisions;

129 providing for the disbursement of specified funds;

130 providing an effective date.

131

132 Be It Enacted by the Legislature of the State of Florida:

133

134 Section 1. Paragraph (f) of subsection (5) of section

135 253.034, Florida Statutes, is amended to read:

136 253.034 State-owned lands; uses.-

137 (5) Each manager of conservation lands shall submit to the

138 Division of State Lands a land management plan at least every 10

139 years in a form and manner prescribed by rule by the board and

140 in accordance with the provisions of s. 259.032. Each manager of

141 conservation lands shall also update a land management plan

142 whenever the manager proposes to add new facilities or make

143 substantive land use or management changes that were not

144 addressed in the approved plan, or within 1 year of the addition

145 of significant new lands. Each manager of nonconservation lands

575-02590-13

20131628c1

146 shall submit to the Division of State Lands a land use plan at
147 least every 10 years in a form and manner prescribed by rule by
148 the board. The division shall review each plan for compliance
149 with the requirements of this subsection and the requirements of
150 the rules established by the board pursuant to this section. All
151 land use plans, whether for single-use or multiple-use
152 properties, shall include an analysis of the property to
153 determine if any significant natural or cultural resources are
154 located on the property. Such resources include archaeological
155 and historic sites, state and federally listed plant and animal
156 species, and imperiled natural communities and unique natural
157 features. If such resources occur on the property, the manager
158 shall consult with the Division of State Lands and other
159 appropriate agencies to develop management strategies to protect
160 such resources. Land use plans shall also provide for the
161 control of invasive nonnative plants and conservation of soil
162 and water resources, including a description of how the manager
163 plans to control and prevent soil erosion and soil or water
164 contamination. Land use plans submitted by a manager shall
165 include reference to appropriate statutory authority for such
166 use or uses and shall conform to the appropriate policies and
167 guidelines of the state land management plan. Plans for managed
168 areas larger than 1,000 acres shall contain an analysis of the
169 multiple-use potential of the property, which analysis shall
170 include the potential of the property to generate revenues to
171 enhance the management of the property. Additionally, the plan
172 shall contain an analysis of the potential use of private land
173 managers to facilitate the restoration or management of these
174 lands. In those cases where a newly acquired property has a

575-02590-13

20131628c1

175 valid conservation plan that was developed by a soil and
176 conservation district, such plan shall be used to guide
177 management of the property until a formal land use plan is
178 completed.

179 (f) In developing land management plans, at least one
180 public hearing shall be held in any one ~~each~~ affected county.

181 Section 2. Subsection (2) of section 388.261, Florida
182 Statutes, is amended to read:

183 388.261 State aid to counties and districts for arthropod
184 control; distribution priorities and limitations.—

185 (2) Every county or district budgeting local funds to be
186 used exclusively for the control of mosquitoes and other
187 arthropods, under a plan submitted by the county or district and
188 approved by the department, is ~~shall be~~ eligible to receive
189 state funds and supplies, services, and equipment on a dollar-
190 for-dollar matching basis to the amount of local funds budgeted.
191 If ~~Should~~ state funds appropriated by the Legislature are ~~be~~
192 insufficient to grant each county or district state funds on a
193 dollar-for-dollar matching basis to the amount budgeted in local
194 funds, the department shall distribute the funds as prescribed
195 by rule. Such rules shall provide for up to 80 percent of the
196 funds to be distributed to programs with local funds for
197 mosquito control budgets of less than \$1 million, if the county
198 or district meets the eligibility requirements. The funds shall
199 be distributed as equally as possible within the category of
200 counties pursuant to this section. The remaining funds shall be
201 distributed as prescribed by rule among the remaining counties
202 to support mosquito control and to support research, education,
203 and outreach ~~prorate said state funds based on the amount of~~

575-02590-13

20131628c1

204 ~~matchable local funds budgeted for expenditure by each county or~~
205 ~~district.~~

206 Section 3. Subsection (1) of section 388.271, Florida
207 Statutes, is amended to read:

208 388.271 Prerequisites to participation.—

209 (1) When state funds are involved, it is the duty of the
210 department to guide, review, approve, and coordinate the
211 activities of all county governments and special districts
212 receiving state funds in furtherance of the goal of integrated
213 arthropod control. Each county or district eligible to
214 participate hereunder may begin participation on October 1 of
215 any year by filing with the department not later than July 15 a
216 tentative work plan and tentative detailed work plan budget
217 providing for the control of arthropods. Following approval of
218 the plan and budget by the department, two copies of the
219 county's or district's certified budget based on the approved
220 work plan and detailed work plan budget shall be submitted to
221 the department by not later than September 30 ~~15~~ following.
222 State funds, supplies, and services shall be made available to
223 such county or district by and through the department
224 immediately upon release of funds by the Executive Office of the
225 Governor.

226 Section 4. Section 487.160, Florida Statutes, is amended to
227 read:

228 487.160 Records; ~~report~~.—Licensed private applicators
229 supervising 15 or more unlicensed applicators or mixer-loaders
230 and licensed public applicators and licensed commercial
231 applicators shall maintain records as the department may
232 determine by rule with respect to the application of restricted

575-02590-13

20131628c1

233 pesticides, including, but not limited to, the type and quantity
234 of pesticide, method of application, crop treated, and dates and
235 location of application. Other licensed private applicators
236 shall maintain records as the department may determine by rule
237 with respect to the date, type, and quantity of restricted-use
238 pesticides used. Licensees shall keep records for a period of 2
239 years from date of the application of the pesticide to which the
240 records refer, and shall furnish to the department a copy of the
241 records upon written request by the department. ~~Every third~~
242 ~~year, the department shall conduct a survey and compile a report~~
243 ~~on restricted use pesticides in this state. This report shall~~
244 ~~include, but not be limited to, types and quantities of~~
245 ~~pesticides, methods of application, crops treated, and dates and~~
246 ~~locations of application; records of persons working under~~
247 ~~direct supervision; and reports of misuse, damage, or injury.~~

248 Section 5. Section 534.083, Florida Statutes, is amended to
249 read:

250 534.083 Livestock hauler's permit; ~~display of permit on~~
251 ~~vehicle; bill of lading.-~~

252 ~~(1) No person shall engage in the business of transporting~~
253 ~~or hauling for hire livestock on any street or highway, as~~
254 ~~defined in s. 316.003(53), without first having applied for and~~
255 ~~obtained from the department a permit which shall expire on~~
256 ~~December 31 of each year. The information supplied by the~~
257 ~~applicant on the application for permit shall be certified under~~
258 ~~oath. Cost of the permit shall be \$5 for each year or fraction~~
259 ~~thereof.~~

260 ~~(2) The department shall issue a metal tag or plate to~~
261 ~~every person or company required to obtain a permit to transport~~

575-02590-13

20131628c1

262 ~~or haul for hire livestock, which shall bear the serial number~~
263 ~~of the permit. Such a tag or plate shall be issued for each~~
264 ~~vehicle used by the hauler.~~

265 ~~(3) The metal tag or plate required under this section~~
266 ~~shall be attached to each vehicle used for transporting or~~
267 ~~hauling livestock in a conspicuous place in an upright position~~
268 ~~on the rear of the vehicle. When livestock is transported in a~~
269 ~~trailer type vehicle propelled or drawn by a motor truck or~~
270 ~~tractor, each such trailer shall have the tag or plate attached~~
271 ~~to the rear of the trailer in a conspicuous place in an upright~~
272 ~~position, and it shall not be necessary to have a tag attached~~
273 ~~to the motor truck or tractor.~~

274 ~~(4) Persons engaged in the business of transporting or~~
275 ~~hauling livestock in the state shall, upon receiving such~~
276 ~~livestock for transportation, issue a waybill or bill of lading~~
277 ~~for all livestock transported or hauled by them, and such~~
278 ~~waybill or bill of lading shall accompany the shipment of~~
279 ~~livestock, with a copy thereof being furnished to the person~~
280 ~~delivering livestock to the hauler. The waybill or bill of~~
281 ~~lading shall show the place of origin and destination of the~~
282 ~~shipment, the name of the owner of the livestock, date and time~~
283 ~~of loading, name of person or company hauling the livestock, and~~
284 ~~the number of animals and a general description thereof. The~~
285 ~~waybill or bill of lading shall be signed by the person~~
286 ~~delivering the livestock to the hauler certifying that the~~
287 ~~information contained thereon is correct.~~

288 Section 6. Subsection (28) of section 570.07, Florida
289 Statutes, is amended to read:

290 570.07 Department of Agriculture and Consumer Services;

575-02590-13

20131628c1

291 functions, powers, and duties.—The department shall have and
292 exercise the following functions, powers, and duties:

293 (28) For purposes of pollution control and the prevention
294 of wildfires, to regulate open burning connected with pile
295 burning as defined in s. 590.125(1) ~~land-clearing~~, agricultural,
296 or forestry operations.

297 Section 7. Section 570.64, Florida Statutes, is created to
298 read:

299 570.64 Division of Food, Nutrition, and Wellness.—

300 (1) The duties of the Division of Food, Nutrition, and
301 Wellness include, but are not limited to, administering and
302 enforcing the powers and responsibilities of the division
303 prescribed in chapter 595 and the rules adopted thereunder.

304 (2) The director of the division shall be appointed by, and
305 serve at the pleasure of, the commissioner. The director shall
306 supervise, direct, and coordinate activities of the division,
307 exercise such powers and duties as authorized by the
308 commissioner, enforce the provisions of chapter 595 and the
309 rules adopted thereunder, and any other powers and duties as
310 authorized by the department.

311 Section 8. Section 570.902, Florida Statutes, is amended to
312 read:

313 570.902 Definitions; ss. 570.902 and 570.903.—For the
314 purpose of this section ~~ss. 570.902~~ and s. 570.903:

315 (1) "Designated program" means the ~~specific~~ departmental
316 program which a direct-support organization has been created to
317 support.

318 (2) "Direct-support organization" or "organization" means
319 an organization which is a Florida corporation not for profit

575-02590-13

20131628c1

320 incorporated under the provisions of chapter 617 and approved by
 321 the department to operate for the benefit of a museum or a
 322 ~~specific departmental~~ program.

323 (3) "Museum" means the Florida Agricultural Museum which is
 324 designated as the museum for agriculture and rural history of
 325 the State of Florida.

326 Section 9. Section 570.903, Florida Statutes, is amended to
 327 read:

328 570.903 Direct-support organization.-

329 (1) The department may authorize ~~When the Legislature~~
 330 ~~authorizes~~ the establishment of a direct-support organizations
 331 ~~organization~~ to provide assistance, funding, and promotional
 332 support for the museums, ~~the Florida Agriculture in the~~
 333 ~~Classroom Program, the Florida State Collection of Arthropods,~~
 334 ~~the Friends of the Florida State Forests Program of the Florida~~
 335 ~~Forest Service, the Forestry Arson Alert Program,~~ and other
 336 programs of the department. 7 The following provisions shall
 337 govern the creation, use, powers, and duties of the direct-
 338 support organizations ~~organization~~:

339 (a) The department shall enter into a memorandum or letter
 340 of agreement with the direct-support organization, which shall
 341 specify the approval of the department, the powers and duties of
 342 the direct-support organization, and rules with which the
 343 direct-support organization must comply.

344 (b) The department may authorize ~~permit~~, without charge,
 345 appropriate use of property, facilities, and personnel of the
 346 department by the ~~a~~ direct-support organization, ~~subject to ss.~~
 347 ~~570.902 and 570.903~~. The use shall be for ~~directly in keeping~~
 348 ~~with~~ the approved purposes of the direct-support organization

575-02590-13

20131628c1

349 and may not be made at times or places that would unreasonably
350 interfere with opportunities for the general public to use
351 department facilities ~~for established purposes.~~

352 (c) The department shall prescribe by agreement ~~contract or~~
353 ~~by rule~~ conditions with which the ~~a~~ direct-support organization
354 must comply in order to use property, facilities, or personnel
355 of the department ~~or museum~~. Such conditions ~~rules~~ shall provide
356 for budget and audit review and oversight by the department.

357 (d) The department may not authorize ~~permit~~ the use of
358 property, facilities, or personnel of the museum, department, or
359 designated program by the ~~a~~ direct-support organization that
360 does not provide equal employment opportunities to all persons
361 regardless of race, color, religion, sex, age, or national
362 origin.

363 (2) (a) The direct-support organization may ~~shall be~~
364 ~~empowered to~~ conduct programs and activities; raise funds;
365 request and receive grants, gifts, and bequests of money;
366 acquire, receive, hold, invest, and administer, in its own name,
367 securities, funds, objects of value, or other property, real or
368 personal; and make expenditures to or for the direct or indirect
369 benefit of the museum or designated program.

370 ~~(b) Notwithstanding the provisions of s. 287.057, the~~
371 ~~direct support organization may enter into contracts or~~
372 ~~agreements with or without competitive bidding for the~~
373 ~~restoration of objects, historical buildings, and other~~
374 ~~historical materials or for the purchase of objects, historical~~
375 ~~buildings, and other historical materials which are to be added~~
376 ~~to the collections of the museum, or benefit the designated~~
377 ~~program. However, before the direct support organization may~~

575-02590-13

20131628c1

378 ~~enter into a contract or agreement without competitive bidding,~~
379 ~~the direct support organization shall file a certification of~~
380 ~~conditions and circumstances with the internal auditor of the~~
381 ~~department justifying each contract or agreement.~~

382 (b) ~~(e)~~ Notwithstanding the provisions of s. 287.025(1)(e),
383 the direct-support organization may enter into contracts to
384 insure property of the museum or designated programs and may
385 insure objects or collections on loan from others in satisfying
386 security terms of the lender.

387 (3) The direct-support organization shall provide for an
388 annual financial audit in accordance with s. 215.981.

389 (4) A department employee, direct-support organization or
390 museum employee, volunteer, or director, or ~~Neither a designated~~
391 ~~program or a museum, nor a nonprofit corporation trustee or~~
392 ~~employee may not:~~

393 (a) Receive a commission, fee, or financial benefit in
394 connection with the sale or exchange of real or personal
395 property or historical objects ~~or properties~~ to the direct-
396 support organization, the museum, or the designated program; or

397 (b) Be a business associate of any individual, firm, or
398 organization involved in the sale or exchange of real or
399 personal property to the direct-support organization, the
400 museum, or the designated program.

401 (5) All moneys received by the direct-support organization
402 shall be deposited into an account of the direct-support
403 organization and shall be used by the organization in a manner
404 consistent with the goals of the museum or designated program.

405 (6) The identity of a donor or prospective donor who
406 desires to remain anonymous and all information identifying such

575-02590-13

20131628c1

407 donor or prospective donor are confidential and exempt from the
408 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
409 Constitution.

410 (7) The Commissioner of Agriculture, or the commissioner's
411 designee, may serve on the board of trustees and the executive
412 committee of any direct-support organization established to
413 benefit the museum or any designated program.

414 (8) The department may terminate its agreement with a
415 direct-support organization at any time if the department
416 determines that the direct-support organization no longer meets
417 the objectives of this section ~~The department shall establish by~~
418 ~~rule archival procedures relating to museum artifacts and~~
419 ~~records. The rules shall provide procedures which protect the~~
420 ~~museum's artifacts and records equivalent to those procedures~~
421 ~~which have been established by the Department of State under~~
422 ~~chapters 257 and 267.~~

423 (9) Upon termination of the direct-support organization,
424 the assets of the direct-support organization shall be
425 distributed pursuant to its articles of incorporation or by-laws
426 or, if not provided for, to the department.

427 Section 10. Subsection (3) of section 576.051, Florida
428 Statutes, is amended to read:

429 576.051 Inspection, sampling, analysis.—

430 (3) The official analysis shall be made from the official
431 sample. The department, before making the official analysis,
432 shall take a sufficient portion from the official sample for
433 check analysis and place that portion in a bottle sealed and
434 identified by number, date, and the preparer's initials. The
435 official check sample shall be kept until the analysis of the

575-02590-13

20131628c1

436 official sample is completed. However, the licensee may obtain
437 upon request a portion of the official check sample. Upon
438 completion of the analysis of the official sample, a true copy
439 of the fertilizer analysis report shall be mailed to the
440 licensee of the fertilizer from whom the official sample was
441 taken and to the dealer or agent, if any, and purchaser, if
442 known. This fertilizer analysis report shall show all
443 determinations of plant nutrient and pesticides. If the official
444 analysis conforms with the provisions of this law, the official
445 check sample may be destroyed. If the official analysis does not
446 conform with the provisions of this law, the official check
447 sample shall be retained for a period of 90 days from the date
448 of the fertilizer analysis report of the official sample. If
449 within that time the licensee of the fertilizer from whom the
450 official sample was taken, upon receipt of the fertilizer
451 analysis report, makes written demand for analysis of the
452 official check sample by a referee chemist, a portion of the
453 official check sample sufficient for analysis shall be sent to a
454 referee chemist who is mutually acceptable to the department and
455 the licensee for analysis at the expense of the licensee. The
456 referee chemist, upon completion of the analysis, shall forward
457 to the department and to the licensee a fertilizer analysis
458 report bearing a proper identification mark or number; and the
459 fertilizer analysis report shall be verified by an affidavit of
460 the person making the analysis. If the results reported on the
461 fertilizer analysis report agree within the matching criteria
462 defined in department rule ~~checks within three-tenths of 1~~
463 ~~actual percent~~ with the department's analysis on each element
464 for which analysis was made, the mean average of the two

575-02590-13

20131628c1

465 analyses shall be accepted as final and binding on all
466 concerned. However, if the referee's fertilizer analysis report
467 results do not agree within the matching criteria defined in
468 department rule with ~~shows a variation of greater than three-~~
469 ~~tenths of 1 actual percent from~~ the department's analysis in any
470 one or more elements for which an analysis was made, upon demand
471 of either the department or the licensee from whom the official
472 sample was taken, a portion of the official check sample
473 sufficient for analysis shall be submitted to a second referee
474 chemist who is mutually acceptable to the department and to the
475 licensee from whom the official sample was taken, at the expense
476 of the party or parties requesting the referee analysis. If no
477 demand is made for an analysis by a second referee chemist, the
478 department's fertilizer analysis report shall be accepted as
479 final and binding on all concerned. The second referee chemist,
480 upon completion of the analysis, shall make a fertilizer
481 analysis report as provided in this subsection for the first
482 referee chemist. The mean average of the two analyses nearest in
483 conformity to each other shall be accepted as final and binding
484 on all concerned.

485 Section 11. Subsection (1) of section 576.061, Florida
486 Statutes, is amended to read:

487 576.061 Plant nutrient investigational allowances,
488 deficiencies, and penalties.-

489 (1) A commercial fertilizer is deemed deficient if the
490 analysis of any nutrient is below the guarantee by an amount
491 exceeding the investigational allowances. The department shall
492 adopt rules, which shall take effect on July 1, 2014, that
493 establish the investigational allowances used to determine

575-02590-13

20131628c1

494 whether a fertilizer is deficient in plant food.

495 (a) Effective July 1, 2014, this paragraph and paragraphs

496 (b)-(f) are repealed. Until July 1, 2014, investigational

497 ~~Investigational~~ allowances are set as follows:

498 (b) ~~(a)~~ *Primary plant nutrients; investigational*
 499 *allowances.-*

500

Guaranteed Percent	Total Nitrogen Percent	Available Phosphate Percent	Potash Percent
-----------------------	------------------------------	-----------------------------------	-------------------

501

502

04 or less	0.49	0.67	0.41
------------	------	------	------

503

05	0.51	0.67	0.43
----	------	------	------

504

06	0.52	0.67	0.47
----	------	------	------

505

07	0.54	0.68	0.53
----	------	------	------

506

08	0.55	0.68	0.60
----	------	------	------

507

09	0.57	0.68	0.65
----	------	------	------

508

10	0.58	0.69	0.70
----	------	------	------

509

12	0.61	0.69	0.79
----	------	------	------

510

	575-02590-13		20131628c1	
511	14	0.63	0.70	0.87
512	16	0.67	0.70	0.94
513	18	0.70	0.71	1.01
514	20	0.73	0.72	1.08
515	22	0.75	0.72	1.15
516	24	0.78	0.73	1.21
517	26	0.81	0.73	1.27
518	28	0.83	0.74	1.33
519	30	0.86	0.75	1.39
520	32 or more	0.88	0.76	1.44

522 For guarantees not listed, calculate the appropriate value by
 523 interpolation.

524 (c) ~~(b)~~ *Nitrogen investigational allowances.*-

526 Nitrogen Breakdown Investigational Allowances
Percent

575-02590-13

20131628c1

527

Nitrate nitrogen 0.40

528

Ammoniacal nitrogen 0.40

529

Water soluble nitrogen
or urea nitrogen 0.40

530

Water insoluble nitrogen 0.30

531

532

533 In no case may the investigational allowance exceed 50 percent
534 of the amount guaranteed.

535 (d)~~(e)~~ *Secondary and micro plant nutrients, total or*
536 *soluble.-*

537

Element	Investigational Allowances Percent
---------	------------------------------------

538

539

Calcium	0.2 unit+5 percent of guarantee
---------	---------------------------------

540

Magnesium	0.2 unit+5 percent of guarantee
-----------	---------------------------------

541

Sulfur (free and combined)	0.2 unit+5 percent of guarantee
----------------------------	---------------------------------

542

Boron	0.003 unit+15 percent of guarantee
-------	------------------------------------

543

Cobalt	0.0001 unit+30 percent of guarantee
--------	-------------------------------------

575-02590-13

20131628c1

544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561

Chlorine 0.005 unit+10 percent of guarantee
 Copper 0.005 unit+10 percent of guarantee
 Iron 0.005 unit+10 percent of guarantee
 Manganese 0.005 unit+10 percent of guarantee
 Molybdenum 0.0001 unit+30 percent of guarantee
 Sodium 0.005 unit+10 percent of guarantee
 Zinc 0.005 unit+10 percent of guarantee

The maximum allowance for secondary and minor elements when calculated in accordance with this section is 1 unit (1 percent). In no case, however, may the investigational allowance exceed 50 percent of the amount guaranteed.

(e) ~~(d)~~ *Liming materials and gypsum.*—

Investigational Allowances

Range Percent	Percent
0-10	0.30

575-02590-13

20131628c1

Over 10-25 0.40

562

Over 25 0.50

563

564 (f)~~(e)~~ *Pesticides in fertilizer mixtures.*—An
 565 investigational allowance of 25 percent of the guarantee shall
 566 be allowed on all pesticides when added to custom blend
 567 fertilizers.

568 Section 12. Subsection (2) of section 576.181, Florida
 569 Statutes, is amended to read:

570 576.181 Administration; rules; procedure.—

571 (2) The department may adopt rules ~~is authorized, by rule,~~
 572 to implement, make specific, and interpret the provisions of
 573 this chapter, and specifically to determine the composition and
 574 uses of fertilizer as defined in this chapter, including, but
 575 not limited to ~~without limiting the foregoing general terms,~~ the
 576 taking and handling of samples, the establishment of
 577 investigational allowances, deficiencies, matching criteria for
 578 referee analysis, and penalties where not specifically provided
 579 for in this chapter; to prohibit the sale or use in fertilizer
 580 of any material proven to be detrimental to agriculture, public
 581 health, or the environment, or of questionable value; to provide
 582 for the incorporation into fertilizer of such other substances
 583 as pesticides and proper labeling of such mixture; and to
 584 prescribe the information which shall appear on the label other
 585 than specifically set forth in this chapter.

586 Section 13. Section 585.61, Florida Statutes, is amended to
 587 read:

588 585.61 Animal disease diagnostic laboratory ~~laboratories.~~—

575-02590-13

20131628c1

589 (1) There is ~~hereby created and~~ established an animal
590 disease diagnostic laboratory in Osceola County ~~and Suwannee~~
591 ~~County. The laboratory complex in Osceola County is~~ designated
592 as the "Bronson Animal Disease Diagnostic Laboratory."

593 (2) The construction and operation of ~~all~~ the laboratory
594 ~~laboratories~~ established by this section shall be under the
595 supervision and control of the department. It shall be the duty
596 of the department to operate the laboratory ~~these laboratories~~
597 in an efficient manner so that any person who maintains animals
598 in this state may obtain prompt reliable diagnosis of animal
599 diseases, including any disease which may affect poultry eggs,
600 in this state, and recommendations for the control and
601 eradication of such diseases, to the end that diseases of
602 animals may be reduced and controlled, and eradicated when
603 possible.

604 (3) Any person who maintains animals in the state may use
605 the services of the laboratory ~~laboratories~~ under the terms of
606 this section and the rules adopted for such use by the
607 department. The department shall require any user of its
608 services to pay a fee not to exceed \$300 for any one of the
609 services requested. All laboratory fees collected shall be
610 deposited in the Animal Industry Diagnostic Laboratory Account
611 within the General Inspection Trust Fund. The fees collected
612 shall be used to improve the diagnostic laboratory services as
613 provided for by the Legislature in the General Appropriations
614 Act.

615 Section 14. Paragraph (f) of subsection (3) of section
616 586.10, Florida Statutes, is amended to read:

617 586.10 Powers and duties of department; preemption of local

575-02590-13

20131628c1

618 government ordinances.—

619 (3) The department may:

620 (f) Inspect or cause to be inspected all apiaries in the
621 state at such intervals as it may deem best and keep a complete,
622 accurate, and current list of all inspected apiaries to include
623 the:

- 624 1. Name of the apiary.
- 625 2. Name of the owner of the apiary.
- 626 3. Mailing address of the apiary owner.
- 627 4. Location of the apiary.
- 628 5. Number of hives in the apiary.
- 629 6. Pest problems associated with the apiary.
- 630 7. Brands used by beekeepers where applicable.

631
632 Notwithstanding s. 112.313, an apiary inspector may be a
633 certified beekeeper as long as the inspector does not inspect
634 his or her own apiary.

635 Section 15. Section 589.02, Florida Statutes, is amended to
636 read:

637 589.02 Headquarters and meetings of council.—The official
638 headquarters of the council shall be in Tallahassee, but it may
639 hold meetings at such other places in the state as it may
640 determine by resolutions or as may be selected by a majority of
641 the members of the council in any call for a meeting. ~~The annual~~
642 ~~meeting of the council shall be held on the first Monday in~~
643 ~~October of each year. Special meetings may be called at any time~~
644 ~~by the chair or upon the written request of a majority of the~~
645 ~~members.~~ The council shall annually elect from its members a
646 chair, a vice chair, and a secretary. ~~The election shall be held~~

575-02590-13

20131628c1

647 ~~at the annual meeting of the council.~~ A majority of the members
648 of the council shall constitute a quorum for such purposes.

649 Section 16. Subsection (4) of section 589.19, Florida
650 Statutes, is amended to read:

651 589.19 Creation of certain state forests; naming of certain
652 state forests; Operation Outdoor Freedom Program.—

653 (4) (a) To honor the nation's disabled veterans and injured
654 active duty servicemembers, the Florida Forest Service shall
655 coordinate efforts to develop an Operation Outdoor Freedom
656 Program to provide hunting and other activities for eligible
657 veterans and servicemembers in designated state forest areas and
658 on designated public and private lands. The Legislature finds it
659 to be in the public interest for the Florida Forest Service to
660 develop partnerships with the Fish and Wildlife Conservation
661 Commission and other public and private organizations in order
662 to provide the needed resources and funding to make the program
663 successful ~~The Florida Forest Service shall designate one or~~
664 ~~more areas of state forests as an "Operation Outdoor Freedom~~
665 ~~Special Hunt Area" to honor wounded veterans and servicemembers.~~
666 ~~The purpose of such designated areas is to provide special~~
667 ~~outdoor recreational opportunities for eligible veterans and~~
668 ~~servicemembers.~~

669 (b) Participation in the Operation Outdoor Freedom Program
670 shall be limited to Florida residents, as defined in s.
671 379.101(30)(b), ~~The Florida Forest Service shall limit guest~~
672 ~~admittance to such designated areas to any person who:~~

673 1. Are honorably discharged military veterans certified by
674 the United States Department of Veterans Affairs or its
675 predecessor or by any branch of the United States Armed Forces

575-02590-13

20131628c1

676 to be at least 30 percent permanently service-connected disabled
677 ~~Is an active duty member of any branch of the United States~~
678 ~~Armed Forces and has a combat-related injury as determined by~~
679 ~~his or her branch of the United States Armed Forces; or~~

680 2. Have been awarded the Military Order of the Purple
681 Heart; or Is a veteran who served during a period of wartime
682 service as defined in s. 1.01(14) or peacetime service as
683 defined in s. 296.02 and:

684 a. Has a service-connected disability as determined by the
685 United States Department of Veterans Affairs; or

686 b. Was discharged or released from military service because
687 of a disability acquired or aggravated while serving on active
688 duty

689 3. Are active duty servicemembers with a service-connected
690 injury as determined by his or her branch of the United States
691 Armed Forces.

692
693 Proof of eligibility under this subsection, as prescribed by the
694 Florida Forest Service, may be required.

695 (c) Notwithstanding the eligibility requirements for
696 program participation in paragraph (b), guided or unguided
697 invitation-only activities may be conducted as part of the
698 Operation Outdoor Freedom Program for injured or disabled
699 veterans and injured or disabled active duty servicemembers of
700 any branch of the United States Armed Forces in designated state
701 forest areas and on designated public and private lands. The
702 Florida Forest Service may grant admittance to ~~such~~ designated
703 areas and lands to a person who is not an eligible veteran or
704 servicemember for the sole purpose ~~purposes~~ of accompanying an

575-02590-13

20131628c1

705 eligible veteran or servicemember who requires the person's
706 assistance to use such ~~designated~~ areas and lands.

707 (d) The Florida Forest Service may cooperate with state and
708 federal agencies, local governments, private landowners, and
709 other entities in connection with the Operation Outdoor Freedom
710 Program. Donations to the Operation Outdoor Freedom Program
711 Funding required for specialized accommodations shall be
712 deposited into the account of ~~provided through~~ the Friends of
713 Florida State Forests Program created under s. 589.012 and used
714 for Operation Outdoor Freedom Program activities.

715 (e)1. A private landowner who provides land for designation
716 and use as an Operation Outdoor Freedom Program hunting site
717 shall have limited liability pursuant to s. 375.251.

718 2. A private landowner who consents to the designation and
719 use of land as part of the Operation Outdoor Freedom Program
720 without compensation shall be considered a volunteer, as defined
721 in s. 110.501, and shall be covered by state liability
722 protection pursuant to s. 768.28, including s. 768.28(9).

723 3. This subsection does not:

724 a. Relieve any person of liability that would otherwise
725 exist for deliberate, willful, or malicious injury to persons or
726 property.

727 b. Create or increase the liability of any person.

728 (f) The Legislature shall designate the second Saturday of
729 each November as Operation Outdoor Freedom Day.

730 (g) ~~(e)~~ The Florida Forest Service may adopt rules to
731 administer this subsection.

732 Section 17. Section 589.30, Florida Statutes, is amended to
733 read:

575-02590-13

20131628c1

734 589.30 Duty of district or center manager ~~forester~~.—It
735 shall be the duty of the district or center manager ~~forester~~ to
736 direct all work in accordance with the law and regulations of
737 the Florida Forest Service; gather and disseminate information
738 in the management of commercial timber, including establishment,
739 protection and utilization; and assist in the development and
740 use of forest lands for outdoor recreation, watershed
741 protection, and wildlife habitat. The district or center manager
742 ~~forester~~ or his or her representative shall provide
743 encouragement and technical assistance to individuals and urban
744 and county officials in the planning, establishment, and
745 management of trees and plant associations to enhance the beauty
746 of the urban and suburban environment and meet outdoor
747 recreational needs.

748 Section 18. Subsections (1), (2), (3), (7), and (10) of
749 section 590.02, Florida Statutes, are amended to read:

750 590.02 Florida Forest Service; powers, authority, and
751 duties; liability; building structures; Florida Center for
752 Wildfire and Forest Resources Management Training.—

753 (1) The Florida Forest Service has the following powers,
754 authority, and duties:

755 (a) To enforce the provisions of this chapter;

756 (b) To prevent, detect, and suppress, ~~and extinguish~~
757 wildfires wherever they may occur on public or private land in
758 this state and to do all things necessary in the exercise of
759 such powers, authority, and duties;

760 (c) To provide firefighting crews, who shall be under the
761 control and direction of the Florida Forest Service and its
762 designated agents;

575-02590-13

20131628c1

763 (d) To appoint center managers, forest area supervisors,
764 forestry program administrators, a forest protection bureau
765 chief, a forest protection assistant bureau chief, a field
766 operations bureau chief, deputy chiefs of field operations,
767 district managers, forest operations administrators, senior
768 forest rangers, investigators, forest rangers, firefighter
769 rotorcraft pilots, and other employees who may, at the Florida
770 Forest Service's discretion, be certified as forestry
771 firefighters pursuant to s. 633.35(4). Other provisions of law
772 notwithstanding, center managers, district managers, forest
773 protection assistant bureau chief, and deputy chiefs of field
774 operations shall have Selected Exempt Service status in the
775 state personnel designation;

776 (e) To develop a training curriculum for forestry
777 firefighters which must contain the basic volunteer structural
778 fire training course approved by the Florida State Fire College
779 of the Division of State Fire Marshal and a minimum of 250 hours
780 of wildfire training;

781 (f) To make rules to accomplish the purposes of this
782 chapter;

783 (g) To provide fire management services and emergency
784 response assistance and to set and charge reasonable fees for
785 performance of those services. Moneys collected from such fees
786 shall be deposited into the Incidental Trust Fund of the Florida
787 Forest Service; ~~and~~

788 (h) To require all state, regional, and local government
789 agencies operating aircraft in the vicinity of an ongoing
790 wildfire to operate in compliance with the applicable state
791 Wildfire Aviation Plan; and

575-02590-13

20131628c1

792 (i) To authorize broadcast burning, prescribed burning,
793 pile burning, and land clearing debris burning to carry out the
794 duties of this chapter and the rules adopted thereunder.

795 (2) The Florida Forest Service's employees, and the
796 firefighting crews under their control and direction, may enter
797 upon any lands for the purpose of preventing, detecting, and
798 suppressing wildfires and investigating smoke complaints or open
799 burning not in compliance with authorization and to enforce the
800 provisions of this chapter.

801 (3) Employees of the Florida Forest Service and of federal,
802 state, and local agencies, and all other persons and entities
803 that are under contract or agreement with the Florida Forest
804 Service to assist in firefighting operations as well as those
805 entities, called upon by the Florida Forest Service to assist in
806 firefighting may, in the performance of their duties, set
807 counterfires, remove fences and other obstacles, dig trenches,
808 cut firelines, use water from public and private sources, and
809 carry on all other customary activities in the fighting of
810 wildfires without incurring liability to any person or entity.
811 The manner in which the Florida Forest Service monitors a
812 smoldering wildfire, smoldering prescribed fire, or fights any
813 wildfire are planning level activities for which sovereign
814 immunity applies and is not waived.

815 (7) The Florida Forest Service may organize, staff, equip,
816 and operate the Florida ~~Center for Wildfire and Forest Resources~~
817 ~~Management~~ Training Center. The center shall serve as a site
818 where fire and forest resource managers can obtain current
819 knowledge, techniques, skills, and theory as they relate to
820 their respective disciplines.

575-02590-13

20131628c1

821 (a) The center may establish cooperative efforts involving
822 federal, state, and local entities; hire appropriate personnel;
823 and engage others by contract or agreement with or without
824 compensation to assist in carrying out the training and
825 operations of the center.

826 (b) The center shall provide wildfire suppression training
827 opportunities for rural fire departments, volunteer fire
828 departments, and other local fire response units.

829 (c) The center will focus on curriculum related to, but not
830 limited to, fuel reduction, an incident management system,
831 prescribed burning certification, multiple-use land management,
832 water quality, forest health, environmental education, and
833 wildfire suppression training for structural firefighters.

834 (d) The center may assess appropriate fees for food,
835 lodging, travel, course materials, and supplies in order to meet
836 its operational costs and may grant free meals, room, and
837 scholarships to persons and other entities in exchange for
838 instructional assistance.

839 ~~(e) An advisory committee consisting of the following~~
840 ~~individuals or their designees must review program curriculum,~~
841 ~~course content, and scheduling: the director of the Florida~~
842 ~~Forest Service; the assistant director of the Florida Forest~~
843 ~~Service; the director of the School of Forest Resources and~~
844 ~~Conservation of the University of Florida; the director of the~~
845 ~~Division of Recreation and Parks of the Department of~~
846 ~~Environmental Protection; the director of the Division of the~~
847 ~~State Fire Marshal; the director of the Florida Chapter of The~~
848 ~~Nature Conservancy; the executive vice president of the Florida~~
849 ~~Forestry Association; the president of the Florida Farm Bureau~~

575-02590-13

20131628c1

850 ~~Federation; the executive director of the Fish and Wildlife~~
851 ~~Conservation Commission; the executive director of a water~~
852 ~~management district as appointed by the Commissioner of~~
853 ~~Agriculture; the supervisor of the National Forests in Florida;~~
854 ~~the president of the Florida Fire Chief's Association; and the~~
855 ~~executive director of the Tall Timbers Research Station.~~

856 (10) (a) Notwithstanding the provisions of s. 252.38, the
857 Florida Forest Service has exclusive authority to require and
858 issue authorizations for broadcast burning and agricultural and
859 silvicultural pile burning. An agency, commission, department,
860 county, municipality, or other political subdivision of the
861 state may not adopt or enforce laws, regulations, rules, or
862 policies pertaining to broadcast burning or agricultural and
863 silvicultural pile burning ~~unless an emergency order is declared~~
864 ~~in accordance with s. 252.38(3).~~

865 (b) The Florida Forest Service may delegate to a county, ~~or~~
866 municipality, or special district its authority:
867

867 1. As delegated by the Department of Environmental
868 Protection pursuant to ss. 403.061(28) and 403.081, to manage
869 and enforce regulations pertaining to ~~require and issue~~
870 ~~authorizations for the burning of yard trash and debris from~~
871 ~~land clearing operations~~ in accordance with s. 590.125(6).

872 2. To manage the open burning of land clearing debris in
873 accordance with s. 590.125.

874 Section 19. Subsection (1) of section 590.11, Florida
875 Statutes, is amended to read:

876 590.11 Recreational fires.—

877 (1) It is unlawful for any individual or group of
878 individuals to build a warming fire, bonfire, or campfire and

575-02590-13

20131628c1

879 leave it unattended while visible flame, smoke, or emissions
880 exist unextinguished.

881 Section 20. Subsections (1) and (2), paragraphs (b) and (c)
882 of subsection (3), and paragraph (a) of subsection (4) of
883 section 590.125, Florida Statutes, are amended to read:

884 590.125 Open burning authorized by the Florida Forest
885 Service.—

886 (1) DEFINITIONS.—As used in this section, the term:

887 (a) "Certified pile burner" means an individual who
888 successfully completes the pile burning certification program of
889 the Florida Forest Service and possesses a valid pile burner
890 certification number.

891 (b) "Certified pile burning" means a pile burn conducted in
892 accordance with a written pile burning plan by a certified pile
893 burner.

894 (c) ~~(b)~~ "Certified prescribed burn manager" means an
895 individual who successfully completes the certified prescribed
896 burning program of the Florida Forest Service and possesses a
897 valid certification number.

898 (d) "Certified prescribed burning" means prescribed burning
899 in accordance with a written prescription conducted by a
900 certified prescribed burn manager.

901 (e) "Contained" means that fire and smoldering exist
902 entirely within established or natural firebreaks.

903 (f) ~~(e)~~ "Completed" ~~"Extinguished"~~ means that for:

904 1. Broadcast burning, no continued lateral movement of fire
905 across the authorized area into entirely unburned fuels ~~Wildland~~
906 burning or certified prescribed burning, no spreading flames
907 exist.

575-02590-13

20131628c1

908 2. Certified pile ~~Vegetative land-clearing debris~~ burning
909 or pile burning, no visible flames exist.

910 3. Certified pile ~~Vegetative land-clearing debris~~ burning
911 or pile burning in an area designated as smoke sensitive by the
912 Florida Forest Service, no visible flames, smoke, or emissions
913 exist.

914 (g) "Gross negligence" means conduct so reckless or wanting
915 in care that it constitutes a conscious disregard or
916 indifference to the life, safety, or rights of persons exposed
917 to such conduct.

918 ~~(d) "Land-clearing operation" means the uprooting or~~
919 ~~clearing of vegetation in connection with the construction of~~
920 ~~buildings and rights-of-way, land development, and mineral~~
921 ~~operations. The term does not include the clearing of yard~~
922 ~~trash.~~

923 (h) (e) "Pile burning" means the burning of silvicultural,
924 agricultural, or land-clearing, or and tree-cutting debris
925 originating onsite, which is stacked together in a round or
926 linear fashion, including, but not limited to, a windrow. Pile
927 burning authorized by the Florida Forest Service is a temporary
928 procedure, which operates on the same site for 6 months or less.

929 (i) "Pile burn plan" means a written plan establishing the
930 method of conducting a certified pile burn.

931 (j) (f) "Prescribed burning" means the controlled
932 application of fire by broadcast burning in accordance with a
933 written prescription for vegetative fuels under specified
934 environmental conditions, while following appropriate
935 precautionary measures that ensure that the fire is contained
936 within confined to a predetermined area to accomplish the

575-02590-13

20131628c1

937 planned fire or land management objectives.

938 (k)~~(g)~~ "Prescription" means a written plan establishing the
939 conditions and method for conducting ~~criteria necessary for~~
940 ~~starting, controlling, and extinguishing~~ a certified prescribed
941 burn.

942 (l) "Smoldering" means the continued consumption of fuels,
943 which may emit flames and smoke, after a fire is contained.

944 (m)~~(h)~~ "Yard trash" means vegetative matter resulting from
945 landscaping and yard maintenance operations and other such
946 routine property cleanup activities. The term includes materials
947 such as leaves, shrub trimmings, grass clippings, brush, and
948 palm fronds.

949 (2) NONCERTIFIED BURNING.—

950 (a) Persons may be authorized to broadcast burn or pile
951 ~~burn wild land or vegetative land-clearing debris~~ in accordance
952 with this subsection if:

953 1. There is specific consent of the landowner or his or her
954 designee;

955 2. Authorization has been obtained from the Florida Forest
956 Service or its designated agent before starting the burn;

957 3. There are adequate firebreaks at the burn site and
958 sufficient personnel and firefighting equipment for the
959 containment ~~control~~ of the fire;

960 4. The fire remains within the boundary of the authorized
961 area;

962 5. The person named responsible in the burn authorization
963 or a designee ~~An authorized person~~ is present at the burn site
964 until the fire is completed ~~extinguished~~;

965 6. The Florida Forest Service does not cancel the

575-02590-13

20131628c1

966 authorization; and

967 7. The Florida Forest Service determines that air quality
968 and fire danger are favorable for safe burning.

969 (b) A person who broadcast burns or pile burns ~~wild land or~~
970 ~~vegetative land-clearing debris~~ in a manner that violates any
971 requirement of this subsection commits a misdemeanor of the
972 second degree, punishable as provided in s. 775.082 or s.
973 775.083.

974 (3) CERTIFIED PRESCRIBED BURNING; LEGISLATIVE FINDINGS AND
975 PURPOSE.—

976 (b) Certified prescribed burning pertains only to broadcast
977 burning for purposes of silviculture, wildland fire hazard
978 reduction, wildlife management, ecological maintenance and
979 restoration, and agriculture ~~range and pasture management~~. It
980 must be conducted in accordance with this subsection and:

981 1. May be accomplished only when a certified prescribed
982 burn manager is present on site with a copy of the prescription
983 and directly supervises the certified prescribed burn until the
984 burn is completed, after which the certified prescribed burn
985 manager is not required to be present ~~from ignition of the burn~~
986 ~~to its completion~~.

987 2. Requires that a written prescription be prepared before
988 receiving authorization to burn from the Florida Forest Service.

989 a. A new prescription or authorization is not required for
990 smoldering that occurs within the authorized burn area when no
991 new ignitions are conducted by the certified prescribed burn
992 manager.

993 b. Monitoring the smoldering activity of a certified
994 prescribed burn does not require a prescription or an additional

575-02590-13

20131628c1

995 authorization even if flames begin to spread within the
996 authorized burn area due to ongoing smoldering.

997 3. Requires that the specific consent of the landowner or
998 his or her designee be obtained before requesting an
999 authorization.

1000 4. Requires that an authorization to burn be obtained from
1001 the Florida Forest Service before igniting the burn.

1002 5. Requires that there be adequate firebreaks at the burn
1003 site and sufficient personnel and firefighting equipment to
1004 contain ~~for the control of~~ the fire within the authorized burn
1005 area.

1006 a. Fire spreading outside the authorized burn area on the
1007 day of the certified prescribed burn ignition does not
1008 constitute conclusive proof of inadequate firebreaks,
1009 insufficient personnel, or a lack of firefighting equipment.

1010 b. During the authorization period, if the certified
1011 prescribed burn is contained within the authorized burn area, a
1012 strong rebuttable presumption shall exist that adequate
1013 firebreaks, sufficient personnel, and sufficient firefighting
1014 equipment were present.

1015 c. Continued smoldering of a certified prescribed burn
1016 resulting in a subsequent wildfire does not by itself constitute
1017 evidence of gross negligence under this section.

1018 6. Is considered to be in the public interest and does not
1019 constitute a public or private nuisance when conducted under
1020 applicable state air pollution statutes and rules.

1021 7. Is considered to be a property right of the property
1022 owner if vegetative fuels are burned as required in this
1023 subsection.

575-02590-13

20131628c1

1024 (c) ~~Neither~~ A property owner, ~~nor~~ his or her agent,
1025 contractor, or legally authorized designee is not liable
1026 pursuant to s. 590.13 for damage or injury caused by the fire,
1027 including the reignition of a smoldering, previously contained
1028 burn, or resulting smoke or considered to be in violation of
1029 subsection (2) for burns conducted in accordance with this
1030 subsection, unless gross negligence is proven. The Florida
1031 Forest Service is not liable for burns for which it issues
1032 authorizations.

1033 (4) CERTIFIED PILE BURNING.—

1034 (a) Certified pile burning pertains to the disposal of
1035 piled, naturally occurring debris from an agricultural,
1036 silvicultural, ~~or temporary~~ land-clearing, or tree cutting
1037 debris originating on site operation. ~~A land-clearing operation~~
1038 ~~is temporary if it operates for 6 months or less.~~ Certified pile
1039 burning must be conducted in accordance with the following:

1040 1. A certified pile burner must ensure, before ignition,
1041 that the piles are properly placed and that the content of the
1042 piles is conducive to efficient burning.

1043 2. A certified pile burner must ensure that the authorized
1044 burn is completed ~~piles are properly extinguished~~ no later than
1045 1 hour after sunset. If the burn is conducted in an area
1046 designated by the Florida Forest Service as smoke sensitive, a
1047 certified pile burner must ensure that the authorized burn is
1048 completed ~~piles are properly extinguished~~ at least 1 hour before
1049 sunset.

1050 3. A written pile burning plan must be prepared before
1051 receiving authorization from the Florida Forest Service to burn
1052 and must be on site and available for inspection by a department

575-02590-13

20131628c1

1053 representative.

1054 4. The specific consent of the landowner or his or her
1055 agent must be obtained before requesting authorization to burn.

1056 5. An authorization to burn must be obtained from the
1057 Florida Forest Service or its designated agent before igniting
1058 the burn.

1059 6. There must be adequate firebreaks and sufficient
1060 personnel and firefighting equipment at the burn site to contain
1061 the burn to the piles authorized ~~control the fire.~~

1062 Section 21. Section 590.25, Florida Statutes, is amended to
1063 read:

1064 590.25 Penalty for ~~preventing or~~ obstructing the
1065 prevention, detection, or suppression ~~extinguishment~~ of
1066 wildfires.—Whoever interferes ~~shall interfere~~ with, obstructs
1067 ~~obstruct~~ or commits ~~commit~~ any act aimed to obstruct the
1068 prevention, detection, or suppression ~~extinguishment~~ of
1069 wildfires by the employees of the Florida Forest Service or any
1070 other person engaged in the prevention, detection, or
1071 suppression ~~extinguishment~~ of a wildfire, or who damages or
1072 destroys any equipment being used for such purpose, commits
1073 ~~shall be guilty of~~ a felony of the third degree, punishable as
1074 provided in s. 775.082, s. 775.083, or s. 775.084.

1075 Section 22. Chapter 595, Florida Statutes, is created,
1076 shall consist of sections 595.401-595.701, Florida Statutes, and
1077 shall be entitled "School Food and Nutrition Services."

1078 Section 23. Section 595.401, Florida Statutes, is created
1079 to read:

1080 595.401 Short title.—This chapter may be cited as the
1081 "Florida School Food and Nutrition Act."

575-02590-13

20131628c1

1082 Section 24. Section 595.402, Florida Statutes, is created
1083 to read:

1084 595.402 Definitions.—As used in this chapter, the term:

1085 (1) "Commissioner" means the Commissioner of Agriculture.

1086 (2) "Department" means the Department of Agriculture and
1087 Consumer Services.

1088 (3) "Program" means any one or more of the school food and
1089 nutrition service programs that the department has
1090 responsibility over including, but not limited to, the National
1091 School Lunch Program, the Special Milk Program, the School
1092 Breakfast Program, the Summer Food Service Program, the Fresh
1093 Fruit and Vegetable Program, and any other program that relates
1094 to school nutrition.

1095 (4) "School district" means any of the 67 county school
1096 districts, including the respective district school board.

1097 (5) "Sponsor" means any entity that is conducting a program
1098 under a current agreement with the department.

1099 Section 25. Section 595.403, Florida Statutes, is created
1100 to read:

1101 595.403 State policy.—The Legislature, in recognition of
1102 the demonstrated relationship between good nutrition and the
1103 capacity of students to develop and learn, declares that it is
1104 the policy of the state to provide standards for school food and
1105 nutrition services and to require each school district to
1106 establish and maintain an appropriate school food and nutrition
1107 service program consistent with the nutritional needs of
1108 students. To implement that policy, the state shall provide
1109 funds to meet the state National School Lunch Act matching
1110 requirements. The funds provided shall be distributed in such a

575-02590-13

20131628c1

1111 manner as to comply with the requirements of the National School
1112 Lunch Act.

1113 Section 26. Section 570.98, Florida Statutes, is
1114 transferred, renumbered as section 595.404, Florida Statutes,
1115 and amended to read:

1116 595.404 ~~570.98~~ School food and nutrition service program;
1117 powers and duties of the department programs.—

1118 ~~(1)~~ The department has the following powers and duties:
1119 ~~shall~~

1120 (1) To conduct, supervise, and administer the program ~~all~~
1121 ~~school food and nutrition programs~~ that will be carried out
1122 using federal or state funds, or funds from any other source.

1123 (2) To fully ~~The department shall~~ cooperate ~~fully~~ with the
1124 United States Government and its agencies and instrumentalities
1125 so that the department may receive the benefit of all federal
1126 financial allotments and assistance possible to carry out the
1127 purposes of this chapter.

1128 (3) To implement and adopt by rule, as required, federal
1129 regulations to maximize federal assistance for the program. ~~The~~
1130 ~~department may~~

1131 (4) To act as agent of, or contract with, the Federal
1132 Government, another state agency, or any county or municipal
1133 government, or sponsor for the administration of the program
1134 ~~school food and nutrition programs~~, including the distribution
1135 of funds provided by the Federal Government to support the
1136 program ~~school food and nutrition programs~~.

1137 (5) To make a reasonable effort to ensure that any school
1138 designated as a "severe need school" receives the highest rate
1139 of reimbursement to which it is entitled under 42 U.S.C. s. 1773

575-02590-13

20131628c1

1140 for each breakfast meal served.

1141 (6) To develop and propose legislation necessary to
1142 implement the program, encourage the development of innovative
1143 school food and nutrition services, and expand participation in
1144 the program.

1145 (7) To annually allocate among the sponsors, as applicable,
1146 funds provided from the school breakfast supplement in the
1147 General Appropriations Act based on each district's total number
1148 of free and reduced-price breakfast meals served.

1149 (8) To employ such persons as are necessary to perform its
1150 duties under this chapter.

1151 (9) To adopt rules covering the administration, operation,
1152 and enforcement of the program as well as to implement the
1153 provisions of this chapter.

1154 (10) To adopt and implement an appeal process by rule, as
1155 required by federal regulations, for applicants and participants
1156 under the program, notwithstanding s. 120.569 and ss. 120.57-
1157 120.595.

1158 (11) To assist, train, and review each sponsor in its
1159 implementation of the program.

1160 (12) To advance funds from the program's annual
1161 appropriation to sponsors, when requested, in order to implement
1162 the provisions of this chapter and in accordance with federal
1163 regulations.

1164 Section 27. Subsections (1) through (5) of section 570.981,
1165 Florida Statutes, are transferred, renumbered as section
1166 595.405, Florida Statutes, and amended to read:

1167 595.405 ~~570.981~~ Program requirements for school districts
1168 and sponsors ~~food service programs.~~

575-02590-13

20131628c1

1169 ~~(1) In recognition of the demonstrated relationship between~~
1170 ~~good nutrition and the capacity of students to develop and~~
1171 ~~learn, it is the policy of the state to provide standards for~~
1172 ~~school food service and to require district school boards to~~
1173 ~~establish and maintain an appropriate private school food~~
1174 ~~service program consistent with the nutritional needs of~~
1175 ~~students.~~

1176 ~~(2) The department shall adopt rules covering the~~
1177 ~~administration and operation of the school food service~~
1178 ~~programs.~~

1179 (1)~~(3)~~ Each school district ~~school board~~ shall consider the
1180 recommendations of the district school superintendent and adopt
1181 policies to provide for an appropriate food and nutrition
1182 service program for students consistent with federal law and
1183 department rules ~~rule~~.

1184 ~~(4) The state shall provide the state National School Lunch~~
1185 ~~Act matching requirements. The funds provided shall be~~
1186 ~~distributed in such a manner as to comply with the requirements~~
1187 ~~of the National School Lunch Act.~~

1188 (2)~~(5)~~~~(a)~~ Each school district ~~school board~~ shall implement
1189 school breakfast programs that make breakfast meals available to
1190 all students in each elementary school. Universal school
1191 breakfast programs shall be offered in schools in which 80
1192 percent or more of the students are eligible for free or
1193 reduced-price meals. Each school shall, to the maximum extent
1194 practicable, make breakfast meals available to students at an
1195 alternative site location, which may include, but need not be
1196 limited to, alternative breakfast options as described in
1197 publications of the Food and Nutrition Service of the United

575-02590-13

20131628c1

1198 States Department of Agriculture for the federal School
1199 Breakfast Program.

1200 (3) ~~(b)~~ Each school district must annually set prices for
1201 breakfast meals at rates that, combined with federal
1202 reimbursements and state allocations, are sufficient to defray
1203 costs of school breakfast programs without requiring allocations
1204 from the district's operating funds, except if the district
1205 school board approves lower rates.

1206 (4) ~~(c)~~ Each school district ~~school board~~ is encouraged to
1207 provide universal-free school breakfast meals to all students in
1208 each elementary, middle, and high school. Each school district
1209 ~~school board~~ shall approve or disapprove a policy, after
1210 receiving public testimony concerning the proposed policy at two
1211 or more regular meetings, which makes universal-free school
1212 breakfast meals available to all students in each elementary,
1213 middle, and high school in which 80 percent or more of the
1214 students are eligible for free or reduced-price meals.

1215 (5) ~~(d)~~ Each elementary, middle, and high school shall make
1216 a breakfast meal available if a student arrives at school on the
1217 ~~school~~ bus less than 15 minutes before the first bell rings and
1218 shall allow the student at least 15 minutes to eat the
1219 breakfast.

1220 (6) ~~(e)~~ Each school district shall annually provide to all
1221 students in each elementary, middle, and high school information
1222 prepared by the district's food service administration regarding
1223 its school breakfast programs. The information shall be
1224 communicated through school announcements and written notices
1225 ~~notice~~ sent to all parents.

1226 (7) ~~(f)~~ A school district ~~school board~~ may operate a

575-02590-13

20131628c1

1227 breakfast program providing for food preparation at the school
1228 site or in central locations with distribution to designated
1229 satellite schools or any combination thereof.

1230 (8) Each sponsor shall complete all corrective action plans
1231 required by the department or a federal agency to be in
1232 compliance with the program.

1233 ~~(g) The commissioner shall make every reasonable effort to~~
1234 ~~ensure that any school designated as a "severe need school"~~
1235 ~~receives the highest rate of reimbursement to which it is~~
1236 ~~entitled under 42 U.S.C. s. 1773 for each breakfast meal served.~~

1237 ~~(h) The department shall annually allocate among the school~~
1238 ~~districts funds provided from the school breakfast supplement in~~
1239 ~~the General Appropriations Act based on each district's total~~
1240 ~~number of free and reduced price breakfast meals served.~~

1241 Section 28. Subsection (6) of section 570.981, Florida
1242 Statutes, is transferred, renumbered as section 595.406, Florida
1243 Statutes, and amended to read:

1244 595.406 570.981 Florida Farm Fresh Schools Program School
1245 food service programs.-

1246 ~~(6) The Legislature, recognizing that school children need~~
1247 ~~nutritious food not only for healthy physical and intellectual~~
1248 ~~development but also to combat diseases related to poor~~
1249 ~~nutrition and obesity, establishes the Florida Farm Fresh~~
1250 ~~Schools Program within the department. The program shall comply~~
1251 ~~with the regulations of the National School Lunch Program and~~
1252 ~~require:~~

1253 (1) (a) In order to implement the Florida Farm Fresh Schools
1254 Program, the department shall ~~to~~ develop policies pertaining to
1255 school food services which encourage:

575-02590-13

20131628c1

1256 (a)1. Sponsors ~~School districts~~ to buy fresh and high-
1257 quality foods grown in this state when feasible.

1258 (b)2. Farmers in this state to sell their products to
1259 sponsors, school districts, and schools.

1260 (c)3. Sponsors ~~School districts and schools~~ to demonstrate
1261 a preference for competitively priced organic food products.

1262 (d)(b) Sponsors ~~School districts and schools~~ to make
1263 reasonable efforts to select foods based on a preference for
1264 those that have maximum nutritional content.

1265 (2)(e) The department shall ~~to~~ provide outreach, guidance,
1266 and training to sponsors ~~school districts,~~ schools, school food
1267 service directors, parent and teacher organizations, and
1268 students about the benefit ~~benefits~~ of fresh food products from
1269 farms in this state.

1270 Section 29. Section 570.982, Florida Statutes, is
1271 transferred, renumbered as section 595.407, Florida Statutes,
1272 and amended to read:

1273 595.407 ~~570.982~~ Children's summer nutrition program.—

1274 (1) This section may be cited as the "Ms. Willie Ann Glenn
1275 Act."

1276 (2) Each school district ~~school board~~ shall develop a plan
1277 to sponsor a summer nutrition program to operate sites in the
1278 school district as follows:

1279 (a) Within 5 miles of at least one elementary school at
1280 which 50 percent or more of the students are eligible for free
1281 or reduced-price school meals and for the duration of 35
1282 consecutive days. ~~and~~

1283 (b) ~~Except as operated pursuant to paragraph (a),~~ Within 10
1284 miles of each elementary school at which 50 percent or more of

575-02590-13

20131628c1

1285 the students are eligible for free or reduced-price school
1286 meals, except as operated pursuant to paragraph (a).

1287 (3) (a) A school district ~~school board~~ may be exempt from
1288 sponsoring a summer nutrition program pursuant to this section.
1289 A school district ~~school board~~ seeking such exemption must
1290 include the issue on an agenda at a regular or special school
1291 district ~~school board~~ meeting that is publicly noticed, provide
1292 residents an opportunity to participate in the discussion, and
1293 vote on whether to be exempt from this section. The school
1294 district ~~school board~~ shall notify the department commissioner
1295 within 10 days after it decides to become exempt from this
1296 section.

1297 (b) Each year, the school district ~~school board~~ shall
1298 reconsider its decision to be exempt from the provisions of this
1299 section and shall vote on whether to continue the exemption from
1300 sponsoring a summer nutrition program. The school district
1301 ~~school board~~ shall notify the department commissioner within 10
1302 days after each subsequent year's decision to continue the
1303 exemption.

1304 (c) If a school district ~~school board~~ elects to be exempt
1305 from sponsoring a summer nutrition program under this section,
1306 the school district ~~school board~~ may encourage not-for-profit
1307 entities to sponsor the program. If a not-for-profit entity
1308 chooses to sponsor the summer nutrition program but fails to
1309 perform with regard to the program, ~~the district school board,~~
1310 the school district, and the department are not required to
1311 continue the program and shall be held harmless from any
1312 liability arising from the discontinuation of the summer
1313 nutrition program.

575-02590-13

20131628c1

1314 (4) The superintendent of schools may collaborate with
1315 municipal and county governmental agencies and private, not-for-
1316 profit leaders in implementing the plan. Although schools have
1317 proven to be the optimal site for a summer nutrition program,
1318 any not-for-profit entity may serve as a site or sponsor. By
1319 April 15 of each year, each school district with a summer
1320 nutrition program shall report to the department the district's
1321 summer nutrition program sites in compliance with this section.

1322 (5) The department shall provide to each school district
1323 ~~school board~~ by February 15 of each year a list of local
1324 organizations that have filed letters of intent to participate
1325 in the summer nutrition program in order that a school district
1326 ~~may school board is able to~~ determine how many sites are needed
1327 to serve the children and where to place each site.

1328 Section 30. Section 570.072, Florida Statutes, is
1329 transferred and renumbered as section 595.408, Florida Statutes.

1330 Section 31. Section 595.501, Florida Statutes, is created
1331 to read:

1332 595.501 Penalties.—Any person, sponsor, or school district
1333 that violates any provision of this chapter or any rule adopted
1334 thereunder or otherwise does not comply with the program is
1335 subject to a suspension or revocation of their agreement, loss
1336 of reimbursement, or a financial penalty in accordance with
1337 federal or state law or both. This section does not restrict the
1338 applicability of any other law.

1339 Section 32. Section 570.983, Florida Statutes, is
1340 transferred, renumbered as section 595.601, Florida Statutes,
1341 and amended to read:

1342 595.601 ~~570.983~~ Food and Nutrition Services Trust Fund.—

575-02590-13

20131628c1

1343 Chapter 99-37, Laws of Florida, recreated the Food and Nutrition
1344 Services Trust Fund to record revenue and disbursements of
1345 Federal Food and Nutrition funds received by the department as
1346 authorized in s. 595.405 ~~570.981~~.

1347 Section 33. Section 570.984, Florida Statutes, is
1348 transferred and renumbered as section 595.701, Florida Statutes,
1349 to read:

1350 595.701 ~~570.984~~ Healthy Schools for Healthy Lives Council.—

1351 (1) There is created within the Department of Agriculture
1352 and Consumer Services the Healthy Schools for Healthy Lives
1353 Council, which shall consist of 11 members appointed by the
1354 Commissioner of Agriculture. The council shall advise the
1355 department on matters relating to nutritional standards and the
1356 prevention of childhood obesity, nutrition education,
1357 anaphylaxis, and other needs to further the development of the
1358 various school nutrition programs.

1359 (2) The meetings, powers, duties, procedures, and
1360 recordkeeping of the Healthy Schools for Healthy Lives Council
1361 shall be governed by s. 570.0705, relating to advisory
1362 committees established within the department.

1363 Section 34. Subsection (16) of section 1001.42, Florida
1364 Statutes, is amended to read:

1365 1001.42 Powers and duties of district school board.—The
1366 district school board, acting as a board, shall exercise all
1367 powers and perform all duties listed below:

1368 (16) SCHOOL LUNCH PROGRAM.—Assume such responsibilities and
1369 exercise such powers and perform such duties as may be assigned
1370 to it by law or as may be required by rules of the Department of
1371 Agriculture and Consumer Services ~~State Board of Education~~ or,

575-02590-13

20131628c1

1372 as in the opinion of the district school board, are necessary to
1373 ensure school lunch services, consistent with needs of students;
1374 effective and efficient operation of the program; and the proper
1375 articulation of the school lunch program with other phases of
1376 education in the district.

1377 Section 35. Subsection (1) of section 1003.453, Florida
1378 Statutes, is amended to read:

1379 1003.453 School wellness and physical education policies;
1380 nutrition guidelines.—

1381 (1) Each school district shall electronically submit ~~to the~~
1382 ~~Department of Education a copy of its~~ local school wellness
1383 policy to the Department of Agriculture and Consumer Services ~~as~~
1384 ~~required by the Child Nutrition and WIC Reauthorization Act of~~
1385 ~~2004 and a copy of its~~ physical education policy required under
1386 s. 1003.455 to the Department of Education. Each school district
1387 shall annually review its local school wellness policy and
1388 physical education policy and provide a procedure for public
1389 input and revisions. In addition, each school district shall
1390 provide its revised local school ~~send an updated copy of its~~
1391 wellness policy and revised physical education policy to the
1392 applicable department ~~and to the Department of Agriculture and~~
1393 ~~Consumer Services~~ when a change or revision is made.

1394 Section 36. Sections 487.0615, 570.382, 570.97, and 590.50,
1395 Florida Statutes, are repealed.

1396 Section 37. Subsection (5) of section 487.041, Florida
1397 Statutes, is amended to read:

1398 487.041 Registration.—

1399 ~~(5) The department shall provide summary information to the~~
1400 ~~Pesticide Review Council regarding applications for registration~~

575-02590-13

20131628c1

1401 ~~of those pesticides for which data received in the registration~~
1402 ~~process indicate that the pesticide, when used according to~~
1403 ~~label instructions and precautions, may have a significant~~
1404 ~~potential for adverse effects on human health or the~~
1405 ~~environment. The council shall be kept apprised of the status of~~
1406 ~~these applications while under review and of the final action by~~
1407 ~~the Commissioner of Agriculture regarding the registration of~~
1408 ~~these pesticides.~~

1409 Section 38. Paragraph (b) of subsection (8) of section
1410 550.2625, Florida Statutes, is amended to read:

1411 550.2625 Horseracing; minimum purse requirement, Florida
1412 breeders' and owners' awards.—

1413 (8)

1414 ~~(b) The division shall deposit these collections to the~~
1415 ~~credit of the General Inspection Trust Fund in a special account~~
1416 ~~to be known as the "Florida Arabian Horse Racing Promotion~~
1417 ~~Account." The Department of Agriculture and Consumer Services~~
1418 ~~shall administer the funds and adopt suitable and reasonable~~
1419 ~~rules for the administration thereof. The moneys in the Florida~~
1420 ~~Arabian Horse Racing Promotion Account shall be allocated solely~~
1421 ~~for supplementing and augmenting purses and prizes and for the~~
1422 ~~general promotion of owning and breeding of racing Arabian~~
1423 ~~horses in this state; and the moneys may not be used to defray~~
1424 ~~any expense of the Department of Agriculture and Consumer~~
1425 ~~Services in the administration of this chapter, except that the~~
1426 ~~moneys generated by Arabian horse registration fees received~~
1427 ~~pursuant to s. 570.382 may be used as provided in paragraph~~
1428 ~~(5) (b) of that section.~~

1429 Section 39. Paragraphs (b) and (c) of subsection (2) of

575-02590-13

20131628c1

1430 section 550.2633, Florida Statutes, are amended to read:

1431 550.2633 Horseracing; distribution of abandoned interest in
1432 or contributions to pari-mutuel pools.-

1433 (2) All moneys or other property which has escheated to and
1434 become the property of the state as provided herein and which is
1435 held by a permitholder authorized to conduct pari-mutuel pools
1436 in this state shall be paid annually by the permitholder to the
1437 recipient designated in this subsection within 60 days after the
1438 close of the race meeting of the permitholder. Section 550.1645
1439 notwithstanding, the moneys shall be paid by the permitholder as
1440 follows:

1441 (b) ~~Except as provided in paragraph (c),~~ Funds from quarter
1442 horse races shall be paid to the Florida Quarter Horse Breeders
1443 and Owners Association and shall be allocated solely for
1444 supplementing and augmenting purses and prizes and for the
1445 general promotion of owning and breeding of racing quarter
1446 horses in this state, as provided for in s. 550.2625.

1447 ~~(c) Funds for Arabian horse races conducted under a quarter~~
1448 ~~horse racing permit shall be deposited into the General~~
1449 ~~Inspection Trust Fund in a special account to be known as the~~
1450 ~~"Florida Arabian Horse Racing Promotion Account" and shall be~~
1451 ~~used for the payment of breeders' awards and stallion awards as~~
1452 ~~provided for in s. 570.382.~~

1453 Section 40. In order to effectuate the repeal of s. 570.97,
1454 Florida Statutes, and to honor the wishes of the donor, for the
1455 2013-2014 fiscal year, the sum of \$59,239 in nonrecurring funds
1456 is appropriated to the Department of Agriculture and Consumer
1457 Services in the expenses appropriation category for deposit in
1458 the General Inspection Trust Fund to be used by the Division of

575-02590-13

20131628c1

1459 Animal Industry for disbursement to Florida Animal Friend, Inc.

1460 Section 41. This act shall take effect upon becoming a law.