

By the Committees on Innovation, Industry, and Technology; and
Agriculture; and Senator Albritton

580-03741-20

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1 A bill to be entitled
2 An act relating to the Department of Agriculture and
3 Consumer Services; amending s. 193.461, F.S.;
4 specifying a methodology for the assessment of certain
5 buildings and structures located on agricultural
6 lands; amending s. 316.520, F.S.; revising application
7 of agricultural load securing requirements; amending
8 s. 570.07, F.S.; revising the functions, powers, and
9 duties of the Department of Agriculture and Consumer
10 Services to authorize the department to purchase
11 private insurance policies for a specified purpose;
12 amending s. 570.441, F.S.; extending the scheduled
13 expiration for the Department of Agriculture and
14 Consumer Services' use of funds from the Pest Control
15 Trust Fund for certain duties of the department;
16 amending s. 590.02, F.S.; directing the Florida Forest
17 Service to develop a training curriculum for wildland
18 firefighters; providing requirements for such
19 training; amending s. 633.408, F.S.; providing
20 wildland firefighter training and certification for
21 certain firefighters and volunteer firefighters;
22 requiring the Department of Environmental Protection,
23 in coordination with the Department of Agriculture and
24 Consumer Services and other entities, to develop a
25 study to estimate the benefits of renewable natural
26 gas in this state; requiring a report to the Governor
27 and the Legislature; providing an effective date.

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

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Section 1. Paragraph (c) of subsection (6) of section 193.461, Florida Statutes, is amended to read:

193.461 Agricultural lands; classification and assessment; mandated eradication or quarantine program; natural disasters.—

(6) (c) 1. For purposes of the income methodology approach to assessment of property used for agricultural purposes, irrigation systems, including pumps and motors, physically attached to the land shall be considered a part of the average yields per acre and shall have no separately assessable contributory value.

2. Litter containment structures located on producing poultry farms and animal waste nutrient containment structures located on producing dairy farms shall be assessed by the methodology described in subparagraph 1.

3. Structures or improvements used in horticultural production for frost or freeze protection, which are consistent with the interim measures or best management practices adopted by the Department of Agriculture and Consumer Services pursuant to s. 570.93 or s. 403.067(7) (c), shall be assessed by the methodology described in subparagraph 1.

4. Screened enclosed structures used in horticultural production for protection from pests and diseases or to comply with state or federal eradication or compliance agreements shall be assessed by the methodology described in subparagraph 1.

5. Any building or structure located on land that is classified as agricultural and which is used in and in furtherance of the agricultural purpose of the land, including, but not limited to, buildings or structures used for production,

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59 packaging, processing, or storage, shall be assessed by the
60 methodology described in subparagraph 1.

61 Section 2. Subsection (4) of section 316.520, Florida
62 Statutes, is amended to read:

63 316.520 Loads on vehicles.—

64 (4) The provision of subsection (2) requiring covering and
65 securing the load with a close-fitting tarpaulin or other
66 appropriate cover does not apply to vehicles carrying
67 agricultural products locally from a harvest site or to or from
68 a farm on roads where the posted speed limit is 65 miles per
69 hour or less ~~and the distance driven on public roads is less~~
70 ~~than 20 miles.~~

71 Section 3. Subsection (47) is added to section 570.07,
72 Florida Statutes, to read:

73 570.07 Department of Agriculture and Consumer Services;
74 functions, powers, and duties.—The department shall have and
75 exercise the following functions, powers, and duties:

76 (47) To purchase, at its discretion, private insurance
77 policies to cover expenses related to the payment of benefits
78 required by s. 112.1816.

79 Section 4. Subsection (4) of section 570.441, Florida
80 Statutes, is amended to read

81 570.441 Pest Control Trust Fund.—

82 (4) In addition to the uses authorized under subsection
83 (2), moneys collected or received by the department under
84 chapter 482 may be used to carry out the provisions of s.
85 570.44. This subsection expires June 30, 2024 ~~2020~~.

86 Section 5. Subsection (1) of section 590.02, Florida
87 Statutes, is amended to read

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88 590.02 Florida Forest Service; powers, authority, and
89 duties; liability; building structures; Withlacoochee Training
90 Center.—

91 (1) The Florida Forest Service has the following powers,
92 authority, and duties to:

93 (a) Enforce the provisions of this chapter;

94 (b) Prevent, detect, and suppress wildfires wherever they
95 may occur on public or private land in this state and do all
96 things necessary in the exercise of such powers, authority, and
97 duties;

98 (c) Provide firefighting crews, who shall be under the
99 control and direction of the Florida Forest Service and its
100 designated agents;

101 (d) Appoint center managers, forest area supervisors,
102 forestry program administrators, a forest protection bureau
103 chief, a forest protection assistant bureau chief, a field
104 operations bureau chief, deputy chiefs of field operations,
105 district managers, forest operations administrators, senior
106 forest rangers, investigators, forest rangers, firefighter
107 rotorcraft pilots, and other employees who may, at the Florida
108 Forest Service's discretion, be certified as forestry
109 firefighters pursuant to s. 633.408(8). Other law
110 notwithstanding, center managers, district managers, forest
111 protection assistant bureau chief, and deputy chiefs of field
112 operations have Selected Exempt Service status in the state
113 personnel designation;

114 (e) Develop a training curriculum for wildland forestry
115 firefighters which must contain a minimum of 40 hours of
116 structural firefighter training, a minimum of 40 hours of

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117 emergency medical training, ~~the basic volunteer structural fire~~
118 ~~training course approved by the Florida State Fire College of~~
119 ~~the Division of State Fire Marshal~~ and a minimum of 376 ~~250~~
120 hours of wildfire training;

121 (f) Pay the cost of the initial commercial driver license
122 examination fee for those employees whose position requires them
123 to operate equipment requiring a license. This paragraph is
124 intended to be an authorization to the department to pay such
125 costs, not an obligation;

126 (g) Provide fire management services and emergency response
127 assistance and set and charge reasonable fees for performance of
128 those services. Moneys collected from such fees shall be
129 deposited into the Incidental Trust Fund of the Florida Forest
130 Service;

131 (h) Require all state, regional, and local government
132 agencies operating aircraft in the vicinity of an ongoing
133 wildfire to operate in compliance with the applicable state
134 Wildfire Aviation Plan;

135 (i) Authorize broadcast burning, prescribed burning, pile
136 burning, and land clearing debris burning to carry out the
137 duties of this chapter and the rules adopted thereunder; and

138 (j) Make rules to accomplish the purposes of this chapter.

139 Section 6. Subsection (8) of section 633.408, Florida
140 Statutes, is amended to read:

141 633.408 Firefighter and volunteer firefighter training and
142 certification.—

143 (8) (a) Pursuant to s. 590.02(1)(e), the division shall
144 establish a structural fire training program of not less than 40
145 ~~206~~ hours. The division shall issue to a person satisfactorily

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146 complying with this training program and who has successfully
147 passed an examination as prescribed by the division and who has
148 met the requirements of s. 590.02(1)(e), a Wildland Firefighter
149 ~~Forestry~~ Certificate of Compliance.

150 (b) An individual who holds a current and valid Wildland
151 Firefighter ~~Forestry~~ Certificate of Compliance is entitled to
152 the same rights, privileges, and benefits provided for by law as
153 a firefighter.

154 Section 7. Renewable natural gas study.—

155 (1) The Department of Environmental Protection, in
156 coordination with the Department of Agriculture and Consumer
157 Services, the Florida chapter of the National Waste and
158 Recycling Association, and the Florida Natural Gas Association,
159 shall develop a study to estimate the potential benefits of
160 renewable natural gas in this state. The study must consider all
161 of the following:

162 (a) The use of renewable natural gas resources to generate
163 energy and fuel and the benefits for local communities, the
164 economy, and the environment.

165 (b) The ability of renewable natural gas to create new
166 revenue streams for local governments, agricultural producers,
167 and other producers of waste.

168 (c) The potential for renewable natural gas to contribute
169 to energy security by providing the gas grid enhanced diversity
170 of supply.

171 (2) The Department of Environmental Protection shall submit
172 a report of the results of the study to the Governor, the
173 President of the Senate, and the Speaker of the House of
174 Representatives upon completion of such study.

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Section 8. This act shall take effect July 1, 2020.