

HB 641 — Animal Service Providers

by Rep. Russell and others (CS/CS/ SB 1654 by Regulated Industries Committee; Agriculture Committee; and Senator Baker)

This bill adds an exemption to the Florida Veterinary Practice Act (Chapter 424, F.S.). The act would not apply to a part-time worker or an independent contractor who is hired by the owner to assist with herd management and animal husbandry tasks. These tasks could include castration, dehorning, parasite control, and debeaking. It also exempts a person hired by the owner on a part-time or temporary basis, or as an independent contractor, to provide farriery and manual hand floating of teeth on equines.

If approved by the Governor, these provisions take effect upon becoming law and shall apply retroactively to January 1, 2006.

Vote: Senate 40-0; House 120-0

SB 676 — Official State Pie

by Senator Bullard

This bill designates Key Lime pie as the official state pie.

The key limes (*Citrus aurantifolia* Swingle) used to make this dessert are named after the Florida Keys where they first originated in the United States. The first Key Lime pie was created in the 1850's in south Florida.

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 38-1; House 106-14

CS/CS/SB 994 — Citrus

by General Government Appropriations Committee; Agriculture Committee; and Senators Alexander, Bullard, Posey, and Crist

This bill amends ss. 193.461, 581.184, 581.1843, 933.02, and 933.40, F.S., to replace provisions relating to the citrus canker eradication program with provisions relating to a new comprehensive citrus health response program. The Department of Agriculture and Consumer Services (DACS) is given authority to develop and implement a new program to manage exotic citrus pests and diseases. The DACS is also given authority to regulate the propagation, production and sale of citrus nursery stock and citrus plants in the area surrounding a nursery.

The bill amends s. 581.1845, F.S., to require that all claims for compensation for trees cut under the citrus canker eradication program or the Shade Florida program must be filed no later than December 31, 2007, and will be paid subject to the availability of funds specifically appropriated for that purpose through FY 2006-2007.

The bill appropriates \$26,728,296 to implement the new citrus health response program.

The bill amends s. 601.15, F.S., to allow the commissioners of the Florida Department of Citrus, by a majority vote, to reduce the box tax collected on citrus below the rate set forth in the statute. It also removes the requirement that a certain percentage of money collected under the box tax program be spent specifically on marketing versus non-marketing activities.

If approved by the Governor, these provisions take effect on July 1, 2006.

Vote: Senate 39-0; House 120-0

HB 1015 — Agricultural Economic Development

by Rep. Pickens and others (CS/CS/CS SB 1880 Environmental Preservation Committee; Community Affairs Committee; Agriculture Committee; and Senator Argenziano)

This bill amends s. 70.001, F.S., to reduce the time period from 180 days to 90 days for certain procedural actions in a claim by an owner of property classified as agriculture seeking compensation due to the property being subjected to an inordinate burden by government action or inaction.

This bill amends ss. 163.3162 and 163.3164, F.S., to create an agricultural enclave classification and to provide a rebuttable presumption that an application by an owner of an agricultural enclave to amend a local government comprehensive plan is consistent with rule 9J-5.006(5), Florida Administrative Code. An agricultural enclave is generally a land parcel up to 1,280 acres in size, with public services available, that has been in bona fide agriculture for 5 years, and which is owned by a person or entity and is surrounded on its perimeter by a least 75 percent property that has existing industrial, commercial, or residential development. The parcel size can be as much as 4,480 acres if the build out of the surrounding property results in a density of at least 1,000 residents per square mile.

The bill amends s. 295.047, F.S., to facilitate the continuation of agricultural usage on property acquired for conservation or recreation purposes with an existing agricultural lease.

The bill amends ss. 373.0361, 373.236, and 373.407, F.S., to assist agricultural landowners in obtaining use permits. It also requires the Department of Agriculture and Consumer Services (DACS) and water management districts to enter into a Memorandum of Agreement regarding the processing of exemptions for agricultural water usage.

The bill amends s. 601.992, F.S., to provide that association dues collected by the Florida Department of Citrus may also be collected by the DACS and it provides rulemaking authority to accomplish this objective.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-0; House 116-0

CS/CS/SB 1212 — Agricultural Records/Open Government Sunset Review

by Governmental Oversight and Productivity Committee and Agriculture Committee

This bill amends s. 403.067, F.S., to reenact the public records exemption for certain agricultural records which are reported to the Department of Agriculture and Consumer Services by agricultural producers. This is needed to implement and improve agricultural Best Management Practices and to more efficiently comply with Total Maximum Daily Load Requirements.

The exemption to public disclosure of records relating to methods of production, or relating to costs of production, profits, or other financial information is necessary to ensure the effective and efficient administration of this voluntary program to maintain the quality of the state's waters.

If approved by the Governor, these provisions take effect October 1, 2006.

Vote: Senate 37-0; House 118-0

HB 7075 — Agriculture

by Agriculture Committee and Rep. Poppell and others (CS/CS/CS/SB 1388 by Government Efficiency Appropriations Committee; Commerce and Consumer Services Committee; Agriculture Committee; and Senators Smith and Argenziano)

This bill addresses the following issues related to agriculture and the powers and duties of the Department of Agriculture and Consumer Services (department):

- Redefines the terms “employee” and “independent contractor” for pest control licensees;
- Provides more flexibility for adopting rules to accommodate new types of pesticides used for preventive treatments of subterranean termites in new construction;
- Expands the products a Limited Commercial Landscape Maintenance certificate holder may apply to include fungicides and allows the certificate holder to provide proof of insurance after passing the certificate examination;
- Renames the Florida Food Safety and Food Security Advisory Council as the “Florida Food Safety and Food Defense Advisory Council”;

- Authorizes the department to develop a Farm-to-Fuel initiative to market and promote the production and distribution of renewable energy from Florida-grown crops, agricultural wastes and residues, and other biomass;
- Provides for all members of the Soil and Water Conservation Council to be voting members;
- Designates the Austin Dewey Gay Agricultural Inspection Station in Escambia County;
- Provides an exemption from inspection for sugar cane or sorghum syrup with conditions on labeling;
- Expands the types of losses that allow agricultural producers to qualify for loans under the Agricultural Economic Development Program;
- Defines the term “agricultural chemical manufacturing facility” and makes trespassing on such a facility a third degree felony;
- Provides for obsolete agriculture equipment to be taxed at its salvage value;
- Provides that association dues collected by the Department of Citrus may also be collected by the Department of Agriculture and Consumer Services and it provides rulemaking authority to accomplish this objective; and
- Provides an exemption from sales tax for diesel fuel and electricity when used on farms for production or processing of agricultural products.

If approved by the Governor, these provisions take effect July 1, 2006, except as otherwise expressly provided in this act.

Vote: Senate 40-0; House 115-0