

SB 1106 by Hays; (Identical to H 0927) Agritourism

366576	A	S	RCS	AG, Garcia	Delete L.109 - 113:	03/12 09:09 AM
595810	AA	S	RCS	AG, Garcia	Delete L.6 - 13:	03/12 09:09 AM

SB 1190 by Brandes; (Similar to CS/H 0203) Agricultural Lands

SB 674 by Montford (CO-INTRODUCERS) Sachs; (Identical to H 0871) Animal Shelters and Animal Control Agencies

746520	D	S	WD	AG, Montford	Delete everything after	03/11 01:45 PM
636622	A	S	RCS	AG, Montford	Delete L.53:	03/12 09:10 AM
330828	A	S	RCS	AG, Montford	Delete L.60 - 61:	03/12 09:10 AM
516290	A	S	RCS	AG, Montford	Delete L.63 - 64:	03/12 09:10 AM
719216	A	S	RCS	AG, Montford	Delete L.75:	03/12 09:10 AM
743080	A	S	RCS	AG, Montford	Delete L.80:	03/12 09:10 AM
652076	A	S	RCS	AG, Montford	Delete L.92 - 93:	03/12 09:10 AM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Montford, Chair
Senator Bullard, Vice Chair

MEETING DATE: Monday, March 11, 2013
TIME: 3:30 —6:00 p.m.
PLACE: 301 Senate Office Building

MEMBERS: Senator Montford, Chair; Senator Bullard, Vice Chair; Senators Brandes, Galvano, Garcia, Grimsley, and Sachs

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation on environmental impact of oil spill by - Mimi Drew, Special Advisor, to Department of Environmental Protection, Secretary Herschel Vinyard		Presented
2	SB 1106 Hays (Identical H 927)	Agritourism; Restricting a local government's ability to regulate agritourism activity on agricultural land; limiting the liability of an agritourism professional, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk, etc. AG 03/11/2013 Fav/CS CA RC	Fav/CS Yeas 7 Nays 0
3	SB 1190 Brandes (Similar CS/H 203)	Agricultural Lands; Prohibiting a governmental entity from adopting or enforcing any prohibition, restriction, regulation, or other limitation or from charging a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land under certain circumstances, etc. AG 03/11/2013 Favorable EP AFT AP	Favorable Yeas 7 Nays 0
4	SB 674 Montford (Identical H 871, H 997, Compare H 839, S 872)	Animal Shelters and Animal Control Agencies; Declaring legislative priorities relating to the importation and uncontrolled breeding of dogs and cats; requiring that each public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision prepare and maintain specified records; specifying the information that must be included in the records; providing a maximum fee for copies of such records, etc. AG 03/11/2013 Fav/CS CA	Fav/CS Yeas 7 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Agriculture

Monday, March 11, 2013, 3:30 —6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	Other Related Meeting Documents		

7061

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic Deepwater Horizon Bill Number _____ (if applicable)

Name Mimi Drew Amendment Barcode _____ (if applicable)

Job Title Special Advisor to Secretary Vinyard

Address FDEP Phone _____
Street

Tallahassee E-mail _____
City State Zip

Speaking: For Against Information

Representing FDEP

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Florida Department of Environmental Protection



Deepwater Horizon Oil Spill

Senate Agriculture

March 11, 2013

Mimi Drew, Special Advisor to the Secretary





By the Numbers

- **2.8 million pounds of oil product** have been recovered from Florida's shoreline.
- **170 miles** of Florida's shoreline was impacted.
- **44 miles** of shoreline are still in response in Escambia and Okaloosa County and on National Park Lands
- **791,061 feet** of boom was deployed in Florida.

Current Response Efforts

- DEP and the Florida Fish and Wildlife Conservation Commission (FWC) remain involved in daily response activities.
- Periodic tar balls continue to reach Florida's shore.
- Shoreline Cleanup Assessment Teams (SCAT) conduct daily assessments.
- Near shore Submerged Oil Mats





Natural Resource Damage Assessment

- The Oil Pollution Act (OPA) of 1990 was passed in the wake of the Exxon Valdez oil spill.
- A major goal of OPA is to restore natural resources that are injured and services that are lost as a result of oil spills.
- The Natural Resource Damage Assessment (NRDA) is a legal process to determine damages to the public's natural resources and the appropriate methods for restoration.



Early Restoration

- On April 20, 2011 the Framework Agreement was signed by the Trustees and BP to provide \$1 billion for early restoration projects.
- Of the \$1 billion, Florida will receive \$100 million to use for early restoration.
- To date Florida has committed \$11 million to early restoration projects.



Natural Resource Damage Assessment Projects

- Phase I Projects
 - Four Boat Ramps & Dune Restoration Project all in Escambia County
 - Totaling \$5.1 million
- Phase II Projects
 - Two Coastal Conservation Projects throughout the Panhandle.
 - Totaling \$6.3 million



RESTORE Act

- Signed into law by President Obama on July 6, 2012
- Dedicating 80% of Clean Water Act civil and administrative penalties resulting from *Deepwater Horizon* oil spill to the Gulf Coast Restoration Trust Fund
- Transocean has agreed to pay \$1 billion in Clean Water Act civil penalties
- Uncertainty exists around the ultimate amount and timing of funds



RESTORE Act Funding

- Transocean \$1 Billion Clean Water Act Civil Settlement to be paid out over 2 years.
 - Category 1: Florida counties will receive \$56 Million
 - Category 2: \$240 Million to Council
 - Category 3: Approximately \$45 Million for Florida's State Expenditure Plan
 - Category 4: \$20 Million to NOAA and US Fish & Wildlife
 - Category 5: Florida Institute of Oceanography will receive \$4 Million



Gulf Coast Ecosystem Restoration Council

- Composition of the Council
 - Six Federal members (Agriculture, Army, Commerce, EPA, the Interior, Homeland Security)
 - Five Gulf Coast States Governors (Alabama, Florida, Louisiana, Mississippi, and Texas)
 - Decision requires yes vote by Chair and majority of the five state
 - Chair: Department of Commerce



Gulf Coast Ecosystem Restoration Council

- Released the Path Forward document on January 29, 2013
- The Council will provide several opportunities for public input throughout the development of the Plan
- The initial Comprehensive Plan due July 6, 2013
- Visit www.restorethegulf.gov for more information on the Council and to submit comments on the Path Forward.



Goals of Path Forward

- Restore and Conserve Habitat
- Restore Water Quality
- Replenish and Protect Living Coastal and Marine Resources
- Enhance Community Resilience
- Restore and Revitalize the Gulf Economy



Criminal Settlements

- Transocean: \$400 Million in criminal fines with \$150 Million being paid to National Fish & Wildlife Foundation (NFWF)
 - NFWF will receive \$21 Million over 2 years to use for restoration projects in Florida
- BP: \$4 Billion in criminal fines with \$2.4 Billion being paid to NFWF
 - NFWF will receive \$335,160,000 over 5 years to use for restoration projects in Florida

www.deepwaterhorizonflorida.com

- Information from Florida agencies and links to other response sites.
- More than 2,500 people signed up for email alerts.





Questions?

Mimi A. Drew

Special Advisor to Secretary Herschel Vinyard

Mimi.Drew@dep.state.fl.us

(850) 245-2011

www.dep.state.fl.us

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: CS/SB 1106

INTRODUCER: Agriculture Committee; and Senator Hays

SUBJECT: Agritourism

DATE: March 12, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Akhavein	Halley	AG	Fav/CS
2.	_____	_____	CA	_____
3.	_____	_____	RC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

CS/SB 1106 states that it is the intent of the Legislature to eliminate duplication of regulatory authority over agritourism. It prohibits a local government to adopt ordinances, regulations, rules, or policies that prohibit, restrict, regulate or otherwise limit an agritourism activity on land that has been classified as agricultural by a property appraiser. The bill clarifies the definition of “agritourism activity” and creates a new definition for “inherent risk of an agritourism activity.” It establishes a limitation on liability from inherit risks for the land owner, agritourism professional, and employees if a notice of risk is posted on the land, with exceptions. The bill provides the specific warning language that must be posted in a clearly visible location at the entrance to the agritourism location and at the site of the agritourism activity. Each agritourism contract with the participant must also include the warning language in clearly readable print. Finally, the bill denies use of the limited liability defense if the owner, agritourism professional, or employee fails to post the sign as required by this act or fails to place it in the contract.

This bill amends sections 570.96 and 570.961 of the Florida Statutes. This bill creates sections 570.963 and 570.964 of the Florida Statutes.

II. Present Situation:

Agritourism is the practice of attracting visitors and travelers to agricultural areas, generally for educational and recreational purposes. For many farmers, the only way to continue farming is to find ways to diversify and expand their incomes, either through new enterprises on the farm or off-farm employment. One diversification strategy some U.S. farmers are beginning to explore is the “cultivation” of tourists in addition to growing crops. Referred to as “agriturismo” in Italy, “sleeping in the straw” in Switzerland, “farmstays” in New Zealand, and “farm holidays” in England, agritourism is well established throughout Europe and in many other countries.¹

Agritourism has an extensive history in the United States. Farm-related recreation and tourism can be traced back to the late 1800s, when families visited farming relatives in an attempt to escape from the city’s summer heat. Visiting the country became even more popular with the widespread use of the automobile in the 1920s. Rural recreation gained interest again in the 1930s and 1940s by people seeking an escape from the stresses of the Great Depression and World War II. These demands for rural recreation led to widespread interest in horseback riding, farm petting zoos, and farm nostalgia during the 1960s and 1970s. Farm vacations, bed and breakfasts, and commercial farm tours were popularized in the 1980s and 1990s.²

Agritourism allows people who have little knowledge of agricultural lands to experience intrinsic agricultural practices and the culture of those lands. Agritourism can help people reconnect with agricultural practices that have changed with the rise of heavily-industrialized farming methods and can build relationships between the producer and consumer. This type of tourism could include farm tours or farm stays, fishing, hunting, festivals, historical recreations, workshops/educational activities, wildlife study, horseback riding, cannery tours, cooking classes, wine tastings, barn dances, and harvest-your-own activities. The use of these resources can have a positive effect on both the agricultural enterprise and the surrounding community. Not only does this tourism have the potential to add value to the operations themselves, but it also creates an awareness in people about the importance of agriculture.³

Under Florida’s Greenbelt Law, properties that are *bona fide* agricultural operations are taxed according to the “use” value of those operations, rather than the development value. The property appraiser of each county in Florida must classify every piece of land in their county as agricultural or non-agricultural in order to get the *bona fide* status. This is known as the land’s “Greenbelt” assessment.⁴ To make this determination, the appraiser must consider factors such as the length of time the land has been used for its current purpose, whether that use has been continuous, the price paid for the land, the size of the land in relation to its specific agricultural use, the effort made to care sufficiently and adequately for the land, whether the land is leased, and if so, the terms of the lease, and finally, any other factors that may become applicable. When a piece of land is classified as agricultural/Greenbelt, it is given a property value based upon its agricultural use rather than the market value of the land. Such a classification provides the property with a lower property tax assessment. The type of agricultural use also impacts the

¹ Curtis E. Beus, “Agritourism: Cultivating Tourists on the Farm,” (July 2008): 5.

² Considering an Agritainment Enterprise in Tennessee? (Agricultural Extension Service, The University of Tennessee, PB 1648)

³ Analysis of SB 2754, (2007)

⁴ Section 193.461, F.S.

assessment within the Greenbelt classification. This means that land used to grow pine trees may receive a different value than land used to produce fruit, so different types of agriculture receive different property value levels.

The 2007 Legislature passed House Bill 1427 which authorized the Department of Agriculture and Consumer Services to assist agritourism operators with marketing and permitted the conducting of agritourism activity on a *bona fide* farm or on agricultural lands classified as such pursuant to s. 193.461, F.S. It also specified that the practice of agritourism shall not limit, restrict, or divest the land of that classification.⁵

Several states have enacted laws that support farmers involved in agritourism. For instance, Louisiana passed a law in 2008 that affords limited liability protection to agritourism operators. Oklahoma currently has a bill before the Legislature cited as the “Oklahoma Agritourism Activities Liability Limitations Act.” Agritourism operators in Florida do not have a statutory defense for injuries occurring from inherent risks. These risks involve dangers associated with natural conditions of premises, natural responses of animals, and ordinary dangers of structures and equipment.

The 2011 General Assembly in North Carolina passed legislation allowing “*Bona Fide* Farm Operators to be exempt for zoning regulations by city governments. County government were already unable to zone *Bona Fide* Farm Operators. At this time, Florida law only promotes the use of land for agritourism activities. It does not provide for a preemption of local governments, an affirmative defense for agritourism activities, or a specific limitation on liability for agritourism activities.

III. Effect of Proposed Changes:

Section 1 amends s. 570.96, F.S., to provide that it is the Legislature’s intent to eliminate duplication of regulatory authority over agritourism. It prohibits a local government to adopt ordinances, regulations, rules, or policies that prohibit, restrict, regulate or otherwise limit an agritourism activity on land that has been classified as agricultural by a property appraiser. However, it does not prohibit a local government to address an emergency.

Section 2 amends s. 570.961, F.S., to clarify the definition of “agritourism activity” and create a new definition for “inherent risk of an agritourism activity.”

Section 3 creates s. 570.963, F.S., to establish limitation on liability for the land owner, agritourism professional and their employee if a notice of risk is posted on the land. With certain exceptions, a person may not maintain an action against or recover from a land owner, agritourism professional or their employee for the injury or death of, or damage or loss to, an agritourism participant resulting exclusively from any of the inherent risks of agritourism activities. In any action for damages, it requires a pleading of the affirmative defense of assumption of risk by the owner, agritourism professional, or employee.

⁵ Section 570.962, F.S.

The criteria above does not prevent or limit the liability of a land owner, agritourism professional or their employee if he or she:

- Commits an act that constitutes negligence or willful or wanton disregard for the safety of the participant, and that act or omission proximately causes injury, damage, or death to the participant;
- Has actual knowledge or reasonably should have known of a dangerous condition on the land or in the facilities or equipment used in the activity and does not make the danger known to the participant, and the danger proximately causes injury, damage, or death to the participant; or
- Intentionally injures the participant.

Section 4 creates s. 570.964, F.S., to provide the specific warning language that must be posted in a clearly visible location at the entrance to the agritourism location and at the site of the agritourism activity. Each agritourism contract with the participant must also include the warning language in clearly readable print. The bill denies use of the limited liability defense if the owner, agritourism professional, or employee fails to post the sign as required by this act or fails to place it in the contract.

Section 5 provides that this act shall take effect July 1, 2013.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

CS/SB 1106 should encourage the creation of new agritourism businesses and create a caveat emptor situation for the participant at an agritourism activity.

C. Government Sector Impact:

Local government impact by the provisions of the bill is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Agriculture on March 11, 2013:

- It emphasizes that immunity does not apply when the land owner, the agritourism professional, or an employee;
- negligently injures the participant;
- knows of a dangerous condition that causes injury because the participant was not alerted; or
- intentionally injures the participant.

B. Amendments:

None.



366576

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Garcia) recommended the following:

Senate Amendment

Delete lines 109 - 113

and insert:

land on which the agritourism occurs if he or she:

(a) Commits an act or omission that constitutes negligence or willful or wanton disregard for the safety of the participant, and that act or omission proximately causes injury, damage, or death to the participant;

(b) Has actual knowledge or reasonably should have known of a dangerous condition on the land or in the facilities or equipment used in the activity, or the dangerous propensity of a particular animal used in the activity, does not make the danger



366576

14 known to the participant, and the danger proximately causes
15 injury, damage, or death to the participant; or
16 (c) Intentionally injures the participant.



595810

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Garcia) recommended the following:

Senate Amendment to Amendment (366576)

Delete lines 6 - 13

and insert:

(a) Commits an act that constitutes negligence or willful or wanton disregard for the safety of the participant, and that act or omission proximately causes injury, damage, or death to the participant;

(b) Has actual knowledge or reasonably should have known of a dangerous condition on the land or in the facilities or equipment used in the activity does not make the danger

Tab 2
✓

THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/11/13
Meeting Date

Topic Agri tourism

Bill Number SB 1106
(if applicable)

Name David Cruz

Amendment Barcode _____
(if applicable)

Job Title Legislative Advocate

Address P.O. Box 1757

Phone 701-3676

Street

Tallahassee

FL

32302

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing Florida League of Cities

Appearing at request of Chair: Yes No

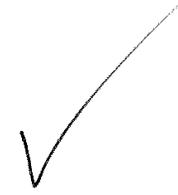
Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



3/11/13

Meeting Date

Topic AGRI TOURISM

Bill Number 1106
(if applicable)

Name STEPHEN JAMES

Amendment Barcode _____
(if applicable)

Job Title _____

Address 100 S. MONROE

Phone (850) 922-4300

Street

TALLAHASSEE FLA 32301

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing FLA. ASSOCIATION OF COUNTIES

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



3/11/13

Meeting Date

Topic

Agribusiness

Bill Number

1106

Name

Adam Basford

Amendment Barcode

366576
(if applicable)
(if applicable)

Job Title

Address

Street

Phone

City

State

Zip

E-mail

Speaking:

For

Against

Information

Representing

Farm Bureau

Appearing at request of Chair:

Yes

No

Lobbyist registered with Legislature:

Yes

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



3/11/13
Meeting Date

Topic Agritourism

Bill Number 1106
(if applicable)

Name Adam Basford

Amendment Barcode _____
(if applicable)

Job Title Dir. of Legislative Affs.

Address 315 S Calhoun St Suite 850
Street
Tallahassee FL 32301
City State Zip

Phone 352-536-4299

E-mail _____

Speaking: For Against Information

Representing Florida Farm Bureau

Appearing at request of Chair: Yes No

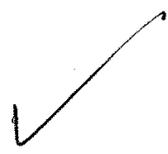
Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



11 MAR 2013
Meeting Date

Topic AGRI TOURISM

Bill Number SB 1106
(if applicable)

Name PAUL JESS

Amendment Barcode _____
(if applicable)

Job Title _____

Address 218 S. MONROE ST
Street

Phone 224-9403

TALLAHASSEE FL 32301
City State Zip

E-mail _____

Speaking: For Against Information

FOR SEN. GARCIA AMENDMENTS

Representing FLORIDA JUSTICE ASSOCIATION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/11/13
Meeting Date

Topic Agri tourism

Bill Number 1106
(if applicable)

Name Jim Spatt

Amendment Barcode _____
(if applicable)

Job Title _____

Address PO Box 10011

Phone 850-228-1296

TALLAHASSEE FL 32302
City State Zip

E-mail Jim@magnoliastrategies.com

Speaking: For Against Information

Representing Florida Nursery, Growers & Landscape Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

By Senator Hays

11-00214A-13

20131106__

A bill to be entitled

An act relating to agritourism; amending s. 570.96, F.S.; providing legislative intent; restricting a local government's ability to regulate agritourism activity on agricultural land; amending s. 570.961, F.S.; revising the definition of the term "agritourism activity" and adding a definition of the term "inherent risks of agritourism activity"; creating s. 570.963, F.S.; limiting the liability of an agritourism professional, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; creating s. 570.964, F.S.; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk; preventing an agritourism professional, his or her employer, and any employee, and the owner of the underlying land from invoking the privileges of immunity if certain conditions are not met; providing criteria for the notice; providing an effective date.

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

Section 1. Section 570.96, Florida Statutes, is amended to read:

570.96 Agritourism.—

(1) It is the intent of the Legislature to eliminate duplication of regulatory authority over agritourism as expressed in this section. Except as otherwise provided for in

Page 1 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

11-00214A-13

20131106__

this section, and notwithstanding any other provision of law, a local government may not adopt an ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under s. 193.461. This subsection does not limit the powers and duties of a local government to address an emergency as provided in chapter 252.

(2) The Department of Agriculture and Consumer Services may provide marketing advice, technical expertise, promotional support, and product development related to agritourism to assist the following in their agritourism initiatives: Enterprise Florida, Inc.; convention and visitor bureaus; tourist development councils; economic development organizations; and local governments. In carrying out this responsibility, the department shall focus its agritourism efforts on rural and urban communities.

Section 2. Section 570.961, Florida Statutes, is amended to read:

570.961 Definitions.—As used in ss. 570.96-570.964 ~~570.96-570.962~~, the term:

(1) "Agritourism activity" means any activity consistent with a bona fide ~~carried out on a farm or ranch or in a working forest that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy agricultural-related rural~~ activities, including, but not limited to, farming, ranching, historical, cultural, or harvest-your-own, ~~or nature-based~~ activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity.

Page 2 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

11-00214A-13

20131106

59 (2) "Agritourism professional" means any person who is
60 engaged in the business of providing one or more agritourism
61 activities, whether or not for compensation.

62 (3) "Farm" means the land, buildings, support facilities,
63 machinery, and other appurtenances used in the production of
64 farm or aquaculture products, including land used to display
65 plants, animals, farm products, or farm equipment to the public.

66 (4) "Farm operation" has the same meaning as defined in s.
67 823.14.

68 (5) "Inherent risks of agritourism activity" means those
69 dangers or conditions that are an integral part of an
70 agritourism activity including certain hazards, such as surface
71 and subsurface conditions, natural conditions of land,
72 vegetation, and waters; the behavior of wild or domestic
73 animals; and the ordinary dangers of structures or equipment
74 ordinarily used in farming and ranching operations. The term
75 also includes the potential of a participant to act in a
76 negligent manner that may contribute to the injury of the
77 participant or others, including failing to follow the
78 instructions given by the agritourism professional or failing to
79 exercise reasonable caution while engaging in the agritourism
80 activity.

81 Section 3. Section 570.963, Florida Statutes, is created to
82 read:

83 570.963 Liability.—

84 (1) Except as provided in subsection (2), an agritourism
85 professional, his or her employer or employee, or the owner of
86 the underlying land on which the agritourism occurs are not
87 liable for injury or death of, or damage or loss to, a

11-00214A-13

20131106

88 participant resulting from the inherent risks of agritourism
89 activities if the notice of risk required under s. 570.964 is
90 posted as required. Except as provided in subsection (2), a
91 participant, or a participant's representative, may not maintain
92 an action against or recover from an agritourism professional,
93 his or her employer or employee, and the owner of the underlying
94 land on which the agritourism occurs for the injury or death of,
95 or damage or loss to, an agritourism participant resulting
96 exclusively from any of the inherent risks of agritourism
97 activities. In any action for damages against an agritourism
98 professional, his or her employer or employee, and the owner of
99 the underlying land on which the agritourism occurs for
100 agritourism activity, the agritourism professional, his or her
101 employer or employee, and the owner of the underlying land on
102 which the agritourism occurs must plead the affirmative defense
103 of assumption of the risk of agritourism activity by the
104 participant.

105 (2) In the event of the injury or death of, or damage or
106 loss to, an agritourism participant, subsection (1) does not
107 prevent or limit the liability of an agritourism professional or
108 his or her employer or employee or the owner of the underlying
109 land on which the agritourism occurs if he or she has actual
110 knowledge of, or reasonably should have known of, a dangerous
111 condition on the land or with the facilities or equipment used
112 in the activity and fails to make that danger known to the
113 participant.

114 (3) The limitation on legal liability afforded by this
115 section to an agritourism professional or his or her employer or
116 employee or the owner of the underlying land on which the

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117 agritourism occurs is in addition to any limitations of legal
 118 liability otherwise provided by law.

119 Section 4. Section 570.964, Florida Statutes, is created to
 120 read:

121 570.964 Posting and notification.—

122 (1) (a) Each agritourism professional shall post and
 123 maintain signs that contain the notice of inherent risk
 124 specified in subsection (2). A sign shall be placed in a clearly
 125 visible location at the entrance to the agritourism location and
 126 at the site of the agritourism activity. The notice of inherent
 127 risk must consist of a sign in black letters, with each letter a
 128 minimum of 1 inch in height, with sufficient color contrast to
 129 be clearly visible.

130 (b) Each written contract entered into by an agritourism
 131 professional for the providing of professional services,
 132 instruction, or the rental of equipment to a participant,
 133 regardless of whether the contract involves agritourism
 134 activities on or off the location or at the site of the
 135 agritourism activity, must contain in clearly readable print the
 136 notice of inherent risk specified in subsection (2).

137 (2) The sign and contract required under subsection (1)
 138 must contain the following notice of inherent risk:

139
 140 WARNING

141
 142 Under Florida law, an agritourism professional is not
 143 liable for injury or death of, or damage or loss to, a
 144 participant in an agritourism activity conducted at
 145 this agritourism location if such injury, death,

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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146 damage, or loss results from the inherent risks of the
 147 agritourism activity. Inherent risks of agritourism
 148 activities include, among others, risks of injury
 149 inherent to land, equipment, and animals, as well as
 150 the potential for you to act in a negligent manner
 151 that may contribute to your injury, death, damage, or
 152 loss. You are assuming the risk of participating in
 153 this agritourism activity.

154
 155 (3) Failure to comply with the requirements of this
 156 subsection prevents an agritourism professional, his or her
 157 employer or employee, or the owner of the underlying land on
 158 which the agritourism occurs from invoking the privileges of
 159 immunity provided by this section.

160 Section 5. This act shall take effect July 1, 2013.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1190

INTRODUCER: Senator Brandes

SUBJECT: Agricultural Lands

DATE: March 12, 2013

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Akhavein	Halley	AG	Favorable
2.	_____	_____	EP	_____
3.	_____	_____	AFT	_____
4.	_____	_____	AP	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

SB 1190 amends the Agricultural Lands and Practices Act, which prohibits counties from adopting any duplicative ordinance, resolution, regulation, rule, or policy that limits activity of a bona fide farm or farm operation on agricultural land if such activity is already regulated by a state or federal agency. The bill expands the prohibition to include not just counties, but any “governmental entity,” as defined in law, from adopting or enforcing any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate or otherwise limit an activity of a bona fide farm operation on land classified as agricultural, if the activity is already regulated by a state or federal agency.

SB 1190 also provides that a governmental entity may not charge a fee upon bona fide farm operations on agricultural land.

This bill amends section 163.3162 of the Florida Statutes.

II. Present Situation:

The 2003 Legislature created the “Agricultural Lands and Practices Act” which set forth legislative findings that emphasize the importance of agriculture to the health, safety, and welfare of the people of the state. The intent of the act is to protect reasonable agricultural activities conducted on farm lands from duplicative regulation. Prior to the passage of this legislation, some counties enacted measures to regulate various agricultural operations in the state that were duplicative and in some cases more restrictive than those already implemented through best management practices or an existing governmental regulatory program.

In 2010, s. 163.3162, F.S., was further amended because while the Act banned the adoption of future county restrictive measures, it did not explicitly prohibit the enforcement of existing county measures. Therefore, legislation was passed¹ to prohibit the enforcement of existing county measures.

Currently, this prohibition applies only to counties. However, some agricultural associations have reported that municipalities are now starting to adopt ordinances and regulations that are duplicative in nature to existing regulatory requirements.

III. Effect of Proposed Changes:

Section 1 amends s. 163.3162, F.S., to amend the definition of “governmental entity” to exclude water management districts.² It prohibits any “governmental entity,” instead of only counties, from adopting or enforcing any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit any activity of a bona fide farm operation on land classified as agricultural, if such activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 120, F.S., by:

- The Florida Department of Environmental Protection (DEP);
- The Florida Department of Agriculture and Consumer Services (DACS);
- A water management district as part of a statewide or regional program (WMD); or
- The United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.³

The bill also prohibits governmental entities from charging a fee on bona fide agricultural activities regulated through the implementation of best management practices, interim measures or rules adopted by DEP, DACS, a WMD as part of a statewide or regional program or the federal government.

Section 2 provides that this act shall take effect July 1, 2013.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill prohibits governmental entities from charging fees on certain agricultural activities occurring on agricultural lands. This could have a negative, but indeterminate, fiscal impact on local government revenues and, therefore, may implicate the mandate provision of Article VII, section 18 of the Florida Constitution. The March 1, 2013, Revenue Estimating Conference (REC) estimated that the provisions of this bill would result in a negative but insignificant impact on local governments.

¹ CS/HB 7103, ch. 2011-7, L.O.F... (CS/HB 7103 was vetoed by the Governor; overridden during the 2011 Legislative Session; and became law, the Governor’s veto notwithstanding.)

² S. 163.3162(2)(d), F.S.

³ S. 163.3162(3)(a), F.S.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

The bill prohibits governmental entities from charging a fee on bona fide agricultural activities which are regulated by the state or federal governments.

B. Private Sector Impact:

Certain agricultural producers would be spared the expense associated with adhering to duplicative regulations or paying certain fees imposed by governmental entities in the state.

C. Government Sector Impact:

The bill prohibits governmental entities from charging fees on certain agricultural activities occurring on agricultural lands, which appears to have an indeterminate negative impact on local government revenues.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/11/13

Meeting Date



Topic Ag Lands

Bill Number 1190
(if applicable)

Name Ryan Matthews

Amendment Barcode _____
(if applicable)

Job Title Leg Advocate

Address PO Box 1757

Phone 850-222-9684

Street

Tallahassee FL 32302

City

State

Zip

E-mail rmatthews@flcities.com

Speaking: For Against Information

Representing FL League of Cities & FL Stormwater Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



3-11-13

Meeting Date

Topic Agricultural Lands

Bill Number 1190
(if applicable)

Name Cindy Littlejohn

Amendment Barcode _____
(if applicable)

Job Title Consultant

Address 310 W. College Ave.
Street

Phone 850-251-6222

Tallahassee Fl 32312
City State Zip

E-mail cindy@littlejohn
man.com

Speaking: For Against Information

Representing Plum Creek Timber

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/11/13

Meeting Date



Topic Agricultural Lands

Bill Number 1190
(if applicable)

Name Adam Basford

Amendment Barcode _____
(if applicable)

Job Title _____

Address _____
Street

Phone _____

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing Florida Farm Bureau

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



3/11/13
Meeting Date

Topic Agricultural LANDS

Bill Number 1190
(if applicable)

Name JIM SPURTT

Amendment Barcode _____
(if applicable)

Job Title _____

Address PO Box 10011
Street
VALUANTASSE, FL 32302
City State Zip

Phone 850-278-1296

E-mail Jim@magnoliastrategiesllc.com

Speaking: For Against Information

Representing Florida Nursery, Growers & Landscape Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

By Senator Brandes

22-01221A-13

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A bill to be entitled

An act relating to agricultural lands; amending s. 163.3162, F.S.; revising a definition; prohibiting a governmental entity from adopting or enforcing any prohibition, restriction, regulation, or other limitation or from charging a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land under certain circumstances; providing an effective date.

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

Section 1. Paragraphs (b) through (j) of subsection (3) of section 163.3162, Florida Statutes, are redesignated as paragraphs (c) through (k), respectively, paragraph (d) of subsection (2) and paragraph (a) of subsection (3) are amended, and a new paragraph (b) is added to subsection (3) of that section, to read:

163.3162 Agricultural Lands and Practices.—

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

(d) "Governmental entity" has the same meaning as provided in s. 164.1031. The term does not include a water management district, a water control district established under chapter 298, or a special district created by special act for water management purposes.

(3) DUPLICATION OF REGULATION.—Except as otherwise provided in this section and s. 487.051(2), and notwithstanding any other law, including any provision of chapter 125 or this chapter:

(a) A governmental entity ~~county~~ may not exercise any of

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22-01221A-13

20131190__

its powers to adopt or enforce any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if such activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or if such activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.

(b) A governmental entity may not charge a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if such agricultural activity is regulated through implemented best management practices, interim measures, or rules adopted under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program or if such agricultural activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.

Section 2. This act shall take effect July 1, 2013.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: CS/SB 674

INTRODUCER: Agriculture Committee; and Senator Montford

SUBJECT: Animal Shelters and Animal Control Agencies

DATE: March 12, 2013 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Akhavein	Halley	AG	Fav/CS
2.			CA	
3.				
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

CS/SB 674 requires all public or private animal shelters and animal control agencies that accept public funds to compile and maintain records concerning the dogs and cats the facility takes in and the disposition of those animals. The bill authorizes a facility to charge a fee for requested records pursuant to the provisions in chapter 119, F.S.

This bill amends section 823.15 of the Florida Statutes.

II. Present Situation:

The Humane Society of the United States (HSUS) estimates that animal shelters care for 6-8 million dogs and cats every year in the United States, of whom approximately 3-4 million are euthanized. According to the HSUS, this is an estimate as there is no central data reporting agency for animal shelters. In the 1970s, American shelters euthanized 12-20 million dogs and cats, at a time when there were 67 million pets in homes. Today, shelters euthanize around 4 million animals where there are more than 135 million dogs and cats in homes.¹

¹ The Humane Society of the United States, *Common Questions About Animal Shelters*,

The history of no-kill sheltering began more than half a century ago when independent caregivers began rescuing and sheltering homeless animals with the intention of keeping them alive. This was in reaction to the standard operating procedure of most humane societies and tax-supported animal control services that routinely euthanized stray and abandoned animals. In 1994, the city and county of San Francisco became the first community in the nation to end the euthanization of healthy dogs and cats in its animal shelter system. An agreement between the city's Animal Care and Control Department and the private San Francisco Society for the Prevention of Cruelty to Animals (SPCA) ensured a home not only to each and every healthy dog and cat, but also to thousands who were sick or injured but treatable. In addition, a citywide preference for neutering/spaying over impounding and euthanizing reduced the death rate for feral cats by 73 percent and for underage kittens by 81 percent. In 1999, the Hayden Shelter Reform Law became effective. It changed California's state policy regarding shelter care for stray and abandoned animals. Most notably it (1) declares "It is the policy of the state that no adoptable animal should be euthanized if it can be adopted into a suitable home," and (2) lengthens the time (generally from three days to six) that shelters must care for animals before euthanizing them.²

In the last decade and a half, many more shelters in numerous communities have comprehensively implemented a series of programs and services to reduce birthrates, increase placements, and keep animals with their responsible caretakers. Providing low cost spay/neuter options to the community at a high volume, recruiting large numbers of volunteers, and building a strong relationship with the community is key to the success of any no kill/low kill program. For example, in San Francisco, a community of approximately 813,000 people, there are volunteers that log over 110,000 hours at the shelter each year. Assuming the prevailing hourly wage, payroll taxes, and benefits, it would cost the San Francisco SPCA over \$1 million dollars annually to provide those services.

Animal Shelters in Florida

Chapter 828.27, F.S., defines local "animal control officers" as any person employed or appointed by a county or municipality who is authorized to investigate, on public or private property, civil infractions relating to animal control or cruelty and to issue citations.³ The statute also describes that the county-employed animal control officers must and municipally employed animal control officers may complete a 40-hour minimum standards training course. Such a course includes training for animal cruelty investigations, search and seizure, animal handling, courtroom demeanor, and civil citations. The course curriculum must be approved by the Florida Animal Control Association (FACA).⁴ This professional association helps train and educate animal control officers in Florida. According to their website, their mission is to "improve the methods and standards of the animal control and protection profession throughout Florida," among other items.⁵

http://www.humanesociety.org/animal-community/resources/qa/common_questions_on_shelters.html (Last visited February 25, 2013).

² The Florida Senate Committee on Agriculture, Animal Shelter Related Facilities, *Interim Report, 2009-101*.

³ Section 828.27, (1)(b), F.S.

⁴ Section 828.27, F.S.

⁵ Florida Animal Control Association. Mission Statement, <http://floridaanimalcontrol.org/> (Last visited February 25, 2013).

Manatee County's No-Kill Program

The Manatee County Animal Services implemented a no-kill program by including a cadre of goals and directives to save as many animals as possible with a goal of a 90 percent save rate. The Manatee County Animal Services Actionable Implementation Plan that went into effect October of 2011 addresses how to find homes for animals and stresses the importance of staff commitment to the plan. The plan describes that saving animals will be accomplished in cooperation with other welfare organizations, animal shelters, the media and the public through owner retention, returns to owners, increased fostering and adoption, free and low cost spaying and neutering, and a feline Trap, Neuter, Return (TNR) program.⁶

All Manatee County's stray, nuisance, or abandoned animals are taken to the Manatee County Animal Services facility. The animal shelters, animal rescue groups, foster groups, and other animal volunteer groups are immediately notified of the animals that have arrived at Manatee County Animal Services. This policy was designed to allow as much time as possible to locate a home for the animal, if needed, while also adhering to local ordinances regarding how long unclaimed animals must be held.

Currently, many facilities keep limited data on the disposition of animals and do not make the information available to the public when requested. This makes it difficult for state and local governments to understand the current state of shelters and rescue animals as they craft ordinances and legislation, provide funding resources, and determine best practices for the facilities.

III. Effect of Proposed Changes:

Section 1 amends s. 823.15, F.S., to provide legislative intent that importing cats and dogs into the state and that uncontrolled breeding of dogs and cats in this state pose risks to the well-being of dogs and cats, the health of humans and animals, and Florida agriculture. The Legislature has determined that every feasible means should be used to reduce the births of unneeded and unwanted puppies and kittens. Therefore, determining which programs result in improved adoption rates and in reduced euthanasia rates for animals in shelters and animal control agencies is crucial to this effort.

The bill requires all public or private animal shelters and animal control agencies that accept public funds to compile and maintain records concerning the dogs and cats the facility takes in and the disposition of those animals. The following data must be made available to the public for the three preceding years, on a monthly basis commencing July 31, 2013:

- The total number of dogs and cats accepted by a facility, categorized by how the animal came to be admitted to the facility;
- Species other than domestic cats and domestic dogs should be recorded as "other;"
- The condition under which the animals left the facility or were euthanized; and

⁶ Manatee County Animal Services, Actionable Implementation Plan for Manatee County, October 2011, Updated December 3, 2012.

- A written statement of a facility's policy on euthanizing dogs due to breed or size, if applicable. The number of dogs euthanized due to breed, temperament, or size must be recorded and included in the facility's calculations for determining its percentage of animals euthanized.

The bill requires the records described above to be made available to the public pursuant to the provisions in chapter 119, F.S.

Section 2 provides that this act shall take effect July 1, 2013.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

CS/SB 674 allows animal shelters and animal control agencies to charge the public a fee of up to 15 cents per one-sided copy; no more than an additional 5 cents for each two-sided copy; and for all other copies, the actual cost of duplication of the public record.

B. Private Sector Impact:

Private animal control facilities and shelters may have an increase in costs to comply with the reporting requirements of the bill if they are not already collecting that information.

C. Government Sector Impact:

City and county animal shelters and animal control agencies may have an increase in costs to comply with the reporting requirements of the bill if they are not already collecting that information.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Agriculture on March 11, 2013:

- Requires specific data concerning the dogs and cats the facility takes in and the disposition of those animals to be made available to the public for the three preceding years, on a monthly basis commencing July 31, 2013.
- Requires a facility to compile data on the number of animals transferred from within Florida and those born in the shelter.
- Requires species other than domestic cats and domestic dogs to be recorded as “other.”
- Replaces “destruction” with the more desirable term “euthanasia.”
- Expands the data concerning the disposition of the animals taken in by a facility to include:
 - Released in field/Trapped, Neutered, Released (cats are trapped in a cage, marked with a clipped ear, sterilized, and then returned to a feral cat colony);
 - Lost in care/missing animals or records; and
 - Ending inventory/shelter count at the end of the last day of the month.
- Deletes the authority for animal shelters and animal control agencies to charge a fee of up to \$1 per page for copies of records requested by the public. The CS requires the records to be made available to the public pursuant to provisions in chapter 119, F.S.

B. Amendments:

None.



746520

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/11/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 823.15, Florida Statutes, is amended to
read:

(Substantial rewording of section.

See s. 823.15, F.S., for present text.)

823.15 Dogs and cats taken in and released from animal
shelters, humane organizations, or animal control agencies of a
county, municipality, or other incorporated political



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13 subdivisions; sterilization requirement; reporting
14 requirements.-

15 (1) The Legislature has determined that the importation of
16 dogs and cats into and the uncontrolled breeding of dogs and
17 cats in this state pose risks to the well-being of dogs and
18 cats, the health of humans and other animals, and the
19 agricultural interests in this state. Importation of dogs and
20 cats from outside the state and country and uncontrolled
21 breeding could result in the transmission of diseases that had
22 been eradicated in this state to dogs and cats, other animals,
23 and humans living in this state.

24 (2) In furtherance of this concern, provision shall be made
25 for the sterilization of all dogs and cats sold or released for
26 adoption from any public or private animal shelter, humane
27 organization, or animal control agency operated by a county,
28 municipality, or other incorporated political subdivision, by
29 either:

30 (a) Providing sterilization by a licensed veterinarian
31 before relinquishing custody of the animal; or

32 (b) Entering into a written agreement with the adopter or
33 purchaser guaranteeing that sterilization will be performed
34 within 30 days after adoption or purchase or prior to sexual
35 maturity. The shelter or animal control agency shall require a
36 sufficient deposit or donation from the adopter or purchaser,
37 which deposit shall be refundable upon presentation to the
38 shelter or animal control agency of written evidence by the
39 veterinarian performing the sterilization that the animal has
40 been sterilized. The deposit may be based upon recommended
41 guidelines established by the Florida Federation of Humane



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42 Societies. Failure by either party to comply with the provisions
43 of this paragraph is a noncriminal violation as defined in s.
44 775.08, punishable by a fine, forfeiture, or other civil
45 penalty, and, in addition thereto, the deposit shall be
46 forfeited to the shelter or animal control agency. Any legal
47 fees or court costs used for the enforcement of this paragraph
48 are the responsibility of the adopter or purchaser. Upon the
49 request of a licensed veterinarian, and for a valid reason, the
50 animal shelter or animal control agency shall extend the time
51 limit within which the dog or cat must be sterilized.

52 (3) (a) Also in furtherance of this concern, provision shall
53 be made for the reporting of statistics and data related to dogs
54 and cats taken in and the ultimate disposition of the dog or
55 cat. Each public or private animal shelter, including each
56 animal shelter, humane organization, and animal control agency
57 of a county, municipality, or other political subdivision that
58 receives public funding shall prepare and maintain the following
59 records on a monthly and annual basis using the calendar year
60 and make the records available for public inspection and
61 dissemination no later than 5 business days after the end of the
62 each calendar month:

63 1. The total number of dogs and cats taken in by the animal
64 shelter, humane organization, or animal control agency of a
65 county, municipality, or other incorporated political
66 subdivision, divided by dogs and cats, in the following
67 categories:

- 68 a. Shelter count on the first day of each month;
- 69 b. Stray;
- 70 c. Impounded involuntarily;



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- 71 d. Relinquished by owner;
72 e. Born in shelter;
73 f. Owner requested euthanasia;
74 g. Transferred in or imported from within this state; and
75 e. Transferred in or imported from out of the state.
76 2. The disposition of all dogs and cats taken into the
77 animal shelter, humane organization, or animal control agency of
78 a county, municipality, or other incorporated political
79 subdivision, divided by dogs and cats, in the following
80 categories:
81 a. Adoption;
82 b. Reclaimed by owner;
83 c. Transferred out or exported within the state;
84 d. Transferred out or exported to another state;
85 e. Released in field;
86 f. Shelter euthanasia;
87 g. Owner requested euthanasia;
88 h. Died in care in the shelter;
89 i. Lost while in care; missing animals or records; and
90 j. Shelter count on the last day of the month.
91 (b) Each animal shelter, humane organization, or animal
92 control agency of a county, municipality, or other incorporated
93 political subdivision, that receives public funding and which
94 routinely euthanizes dogs based on the dog's size or breed alone
95 must have a written policy statement to that effect and post the
96 written policy statement prominently at the shelter's site. Dogs
97 euthanized due to breed, temperament, or size must be recorded
98 and included in the calculation of the total euthanasia
99 percentage as part of the monthly reporting requirement.



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100 (c) Each animal shelter, humane organization or animal
101 control agency of a county, municipality, or other incorporated
102 political subdivision shall make the records of the specified
103 information available, if requested, as required by chapter 119.
104 The entities referenced above that have Internet access may post
105 the required records online. Each record must be maintained
106 onsite for not less than 3 years.

107 (4) All costs of sterilization generated pursuant to this
108 section shall be paid by the prospective adopter unless
109 otherwise provided for by ordinance of the local governing body,
110 with respect to animal control agencies or shelters operated or
111 subsidized by a unit of local government, or provided for by the
112 humane society governing body, with respect to an animal control
113 agency or shelter operated solely by the humane society and not
114 subsidized by public funds.

115 Section 2. This act shall take effect July 1, 2013.

116
117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119 Delete everything before the enacting clause
120 and insert:

121 A bill to be entitled
122 An act relating to animal shelters and animal control
123 agencies; amending s. 823.15, F.S.; declaring
124 legislative intent relating to the importation and
125 uncontrolled breeding of dogs and cats; providing for
126 the sterilization of all dogs and cats sold or
127 released for adoption from an animal shelter, humane
128 organization, or animal control agency; requiring the



746520

129 animal shelter, humane organization, or animal control
130 agency operated by a county, municipality, or other
131 incorporated political subdivision to enter into a
132 written agreement with an adopter or purchaser of the
133 dog or cat to guarantee the dog or cat will be
134 sterilized by a specified date; requiring a deposit to
135 ensure the sterilization of the dog or cat; requiring
136 that each public or private animal shelter, humane
137 organization, or animal control agency operated by a
138 county, municipality, or other incorporated political
139 subdivision prepare and maintain specified records;
140 specifying the information and data that must be
141 included in the records; declaring that the records be
142 maintained and distributed pursuant to ch. 119, F.S.;
143 requiring that all costs of sterilization generated
144 pursuant to this section be paid by the prospective
145 adopter unless otherwise provided for by ordinance of
146 the local governing body; providing an effective date.



636622

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Montford) recommended the following:

Senate Amendment

Delete line 53
and insert:
preceding years. The data will be available on a monthly basis
commencing July 31, 2013.



330828

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Montford) recommended the following:

Senate Amendment

Delete lines 60 - 61
and insert:

- d. Confiscated;
- e. Transferred from within Florida;
- f. Transferred into or imported from out of the state; and
- g. Born in shelter.



516290

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Montford) recommended the following:

Senate Amendment

Delete lines 63 - 64
and insert:

Species other than domestic cats and domestic dogs should



719216

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Montford) recommended the following:

Senate Amendment

Delete line 75
and insert:

d. Euthanasia at the owner's request;

1
2
3
4
5
6



743080

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Montford) recommended the following:

Senate Amendment

Delete line 80
and insert:

- f. Euthanasia;
- g. Released in field/Trapped, Neutered, Released (TNR);
- h. Lost in care/missing animals or records; and
- i. Ending inventory/shelter count at end of the last day of
the month.



652076

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Montford) recommended the following:

Senate Amendment

Delete lines 92 - 93
and insert:
the public pursuant to provisions in chapter 119.

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

3/11/13
Date

SB 674
Bill Number

Name Juan (John) Nixon

Phone 222-2591

Address 119 E. Park Avenue

E-mail

Street
City Tallahassee State FL Zip 32308

Job Title Consultant

Speaking: For Against Information

Appearing at request of Chair

Subject SB 674 Shelter Reporting Bill

Representing Florida Association of Kennel Clubs

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.
If designated employee: Time: from _____ .m. to _____ .m.

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

3/11/13
Date

SB 674
Bill Number

Name Pat Mixon

Phone 850-222-2591

Address 119 E. Park Ave

E-mail pat@mixonandassociates.com

Street Tallahassee FL 32309
City State Zip

Job Title Consultant

Speaking: For Against Information Appearing at request of Chair

Subject SB 674 Shelter Reporting Bill

Representing Florida Veterinary Medical Association

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.
If designated employee: Time: from _____ .m. to _____ .m.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____
Topic Public Records
Name JACK CORY
Job Title Public Affairs Chair
Address 110 E. College Ave
Street
Tallahassee Fla 32301
City State Zip

SB 674
Amendment Bar Code
Bill Number 652076 (if applicable)
Amendment Barcode 652076 (if applicable)
Phone _____
E-mail _____

Speaking: For Against Information

Representing Friy Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/11/13
Meeting Date

Topic Animal Shelter Reporting Act Bill Number 674
(if applicable)

Name Diana Ramsdell Amendment Barcode _____
(if applicable)

Job Title retired

Address 1467 Crestview AV
Street
Tallahassee FL 32303
City State Zip

Phone 850-222-3312

E-mail ramsdel@nettally.com

Speaking: For Against Information

Representing rescue groups

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

03-11-13

Meeting Date

Topic Shelter Reporting Act

Bill Number 674
(if applicable)

Name Barbara Allen

Amendment Barcode _____
(if applicable)

Job Title Retired

Address 7126 John Wayne Ct.

Phone 850-576-5934

Street

Tallahassee FL 32305

City

State

Zip

E-mail BarMarGSD@hughes.net

Speaking: For Against Information

Representing First Response Search Team

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-11-13

Meeting Date

Topic Animal Shelter Reporting

Bill Number SB 674
(if applicable)

Name Susan Smith

Amendment Barcode _____
(if applicable)

Job Title NAA Trust of FL / N/A

Address 25078 Dan Brown Hill Rd.

Phone 352-848-1016

Street

Brooksville, FL 34602

E-mail Mikahkid2@aol.com

City

State

Zip

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/11/13
Meeting Date

Topic Shelter Reporting Act Bill Number SB 674
Name LEAH R. JAMES Amendment Barcode _____ (if applicable)
Job Title PRES. FL. ASSOC. OF KENNEL CLUBS
Address 59 Red Fern Rd Phone 850-445-5409
NAVANA FL 32333 E-mail presleah@aol.com
City State Zip

Speaking: For Against Information

Representing Fl. Assoc. of Kennel Clubs

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

By Senator Montford

3-00598B-13

2013674

A bill to be entitled

An act relating to animal shelters and animal control agencies; amending s. 823.15, F.S.; declaring legislative priorities relating to the importation and uncontrolled breeding of dogs and cats; requiring that each public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision prepare and maintain specified records; specifying the information that must be included in the records; providing a maximum fee for copies of such records; providing an effective date.

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

Section 1. Subsection (1) of section 823.15, Florida Statutes, is amended, present subsections (2) and (3) are redesignated as subsections (3) and (4), respectively, and a new subsection (2) is added to that section, to read:

823.15 Dogs and cats released from animal shelters or animal control agencies; sterilization requirement.—

(1) The Legislature has determined that the importation of dogs and cats into, and the uncontrolled breeding of dogs and cats in, this state pose risks to the well-being of dogs and cats, the health of humans and animals, and the agricultural interests in this state. Importation of dogs and cats from outside the United States could result in the transmission of diseases that have been eradicated in the United States to dogs

Page 1 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00598B-13

2013674

and cats, other animals, and humans living in this state.
~~Uncontrolled breeding~~ The Legislature has determined that
~~uncontrolled breeding of dogs and cats in the state results in~~
the ~~birth production~~ of many more puppies and kittens than are
needed to provide pet animals to new owners or to replace pet
animals ~~that which~~ have died or become lost ~~or to provide pet~~
~~animals for new owners.~~ This leads to many dogs, cats, puppies,
and kittens being unwanted, becoming strays and suffering
privation and death, being impounded and destroyed at great
expense to the community, and constituting a public nuisance and
public health hazard. It is therefore declared to be the public
policy of the state that every feasible means be used to reduce
the incidence of birth ~~of reducing the production~~ of unneeded
and unwanted puppies and kittens ~~be encouraged.~~ Determining
which programs result in improved adoption rates and in reduced
euthanasia rates for animals in shelters and animal control
agencies is crucial to this effort.

(2) (a) Each public or private animal shelter, humane
organization, or animal control agency operated by a humane
organization that accepts taxpayer dollars, or by a county,
municipality, or other incorporated political subdivision, shall
prepare and maintain the following records and make them
available for public inspection and dissemination for the 3
preceding years:

1. The total number of dogs and cats taken in by the animal
shelter, humane organization, or animal control agency, divided
into species, in the following categories:

a. Surrendered by owner;

b. Stray;

Page 2 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2013674__

- 59 c. Impounded;
 60 d. Confiscated; and
 61 e. Imported into the state.

62
 63 Feral cats shall be recorded as a separate category from other
 64 cats. Species other than domestic cats and domestic dogs should
 65 be recorded as "other."

66 2. The disposition of all animals taken in by a public or
 67 private animal shelter, humane organization, or animal control
 68 agency operated by a humane society that accepts taxpayer
 69 dollars, or by a county, municipality, or other incorporated
 70 political subdivision, divided into species. These data must
 71 include dispositions by:

- 72 a. Adoption;
 73 b. Reclamation by owner;
 74 c. Death in kennel;
 75 d. Destruction at the owner's request;
 76 e. Transfer to another public or private animal shelter,
 77 humane organization, or animal control agency operated by a
 78 humane society that accepts taxpayer dollars or by a county,
 79 municipality, or other incorporated political subdivision; and
 80 f. Euthanasia.

81 3. A public or private animal shelter, humane organization,
 82 or animal control agency operated by a humane society that
 83 accepts taxpayer dollars, or by a county, municipality, or other
 84 incorporated political subdivision which routinely euthanizes
 85 dogs based on size or breed alone must provide a written
 86 statement of such policy. Dogs euthanized due to breed,
 87 temperament, or size must be recorded and included in the

Page 3 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00598B-13

2013674__

88 calculation of the total euthanasia percentage.
 89 (b) Records of a public animal shelter, humane
 90 organization, or animal control agency operated by a humane
 91 society that accepts taxpayer dollars must be made available to
 92 the public for a cost that does not exceed \$1 per one-sided
 93 copy.

94 Section 2. This act shall take effect July 1, 2013.

Page 4 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

CourtSmart Tag Report

Room: SB 301
Caption: Senate Agriculture Committee

Case:
Judge:

Type:

Started: 3/11/2013 3:30:45 PM

Ends: 3/11/2013 4:25:11 PM

Length: 00:54:27

3:30:51 PM Meeting called to order by Chairman Montford
3:31:05 PM Roll call by the Administrative Assistant, Joyce Butler
3:31:16 PM Comments by Chairman Montford
3:31:45 PM Tab 2 SB 1106 Senator Hays Explains bill
3:32:58 PM Late filed amendment 366576 explained by Senator Garcia
3:33:09 PM Amendment explained by Senator Garcia
3:33:20 PM Amendment to the Amendment No. 595810 explained by Senator Garcia
3:33:39 PM Explanation of Amendment as amended
3:34:05 PM Amendment to Amendment adopted
3:34:21 PM Question from Senator Bullard
3:34:54 PM Response from Senator Hays
3:35:24 PM Follow up question from Senator Bullard
3:35:41 PM Response from Senator Hays
3:36:25 PM Comments from Senator Sachs
3:37:26 PM Comments from David Cruz from Florida League of Cities
3:39:05 PM Comments from Stephen James, FL Association of Counties
3:40:30 PM Comments from Adam Basford, Farm Bureau
3:40:47 PM Question from Senator Garcia
3:40:56 PM Response from Mr. Basford
3:41:07 PM Additional question from Senator Garcia
3:41:23 PM Response from Mr. Basford
3:41:59 PM Question from Senator Sachs
3:42:37 PM Response from Mr. Basford
3:43:00 PM Question from Senator Bullard
3:44:14 PM Response from Mr. Basford
3:45:01 PM Comments from Paul Jess from Florida Justice Association
3:45:56 PM Jim Spratt waves in support
3:46:18 PM Senator Hays waives closure on Bill and Senator Galvano move for a Committee Substitute
3:46:26 PM Roll Call on CS/SB 1106
3:46:47 PM Committee Substitute for SB 1106 with favorable vote
3:47:14 PM Tab 3 SB 1190 explained by Senator Brandes
3:47:37 PM Comments by Chairman Montford
3:47:44 PM Question by Senator Sachs
3:47:58 PM Response by Senator Brandes
3:49:02 PM Ryan Matthews, FL League of Cities of FL Stormwater Association, waives in opposition
3:49:15 PM Cindy Littlejohn, Consultant, Plum Creek Timber, waives in support
3:49:25 PM Adam Basford waives in support
3:49:33 PM Jim Spratt, FL Nursery, Growers and Landscape Association, waives in support
3:49:42 PM Senator Brandes waives closure
3:49:46 PM Roll call by Administrative Assistant
3:49:58 PM SB 1190 reported favorably
3:50:16 PM Chairman Montford turned chair over to Senator Bullard while he explained SB 674
3:50:30 PM Explanation of SB 674 by Chairman Montford
3:51:53 PM Amendment 516290 explained by Chairman Montford
3:52:01 PM Amendment adopted
3:52:20 PM Amendment 652076 explained by Chairman Montford
3:52:28 PM Amendment adopted
3:52:46 PM Amendment 636622 explained by Chairman Montford
3:52:54 PM Amendment adopted
3:53:13 PM Amendment 743080 explained by Chairman Montford
3:53:23 PM Amendment adopted
3:53:40 PM Amendment 719216 explained by Chairman Montford

3:53:45 PM Amendment adopted
3:54:00 PM Amendment 330828 explained by Chairman Montford
3:54:16 PM Amendment adopted
3:54:51 PM Comments by Leah James, Florida Association of Kennel Clubs
3:55:44 PM Comments by Susan Smith NAIA Trust of FL
3:57:03 PM Barbara Allen, First Response Search Team, waives in support
3:57:13 PM Diana Ramsdell, Rescue Group, waives in support
3:57:34 PM Comments by Jack Cory, Fix Florida
3:57:48 PM Pat Mixon, FL Veterinary Medical Association, waives in support
3:57:58 PM John Mixon, FL Association of Kennel Clubs, waives in support
3:58:10 PM Chairman Montford waives closure and move for a Committee Substitute
3:58:18 PM Roll Call on CS/SB 674
3:58:39 PM Committee Substitute on 674 reported favorably
3:58:47 PM Comments from Chairman Montford
3:59:09 PM Presentation from Mimi Drew, FDEP on Deepwater Horizon
4:15:13 PM Questions from Chairman Montford
4:17:42 PM Response by Mimi Drew
4:20:13 PM Additional question by Chairman Montford
4:20:27 PM Response by Mimi Drew
4:21:29 PM Additional question by Chairman Montford
4:21:35 PM Response by Mimi Drew
4:23:49 PM Additional Question by Chairman Montford
4:23:55 PM Response by Mimi Drew
4:24:43 PM Comments by Chairman Montford
4:25:02 PM Senator Sachs moves to rise