

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Agriculture

CS/HB 7087 — Department of Agriculture and Consumer Services

by State Affairs Committee; Agriculture and Natural Resources Subcommittee; and Rep. Beshears (CS/CS/SB 1628 by Appropriations Committee; and Agriculture Committee; and Senator Montford)

CS/HB 7087 modifies several programs and activities under the jurisdiction of the Department of Agriculture and Consumer Services (department). The bill generally does the following:

- Provides public hearings to discuss a proposed 10-year Resource Management Plan for a state forest must be held in any one of the affected counties rather than in each affected county.
- Transfers management of the state-owned portion of the Babcock Ranch to the department, including:
 - Providing Lee County will retain ownership and assume responsibility for a specified portion of the Babcock Ranch acquisition.
 - Revising provisions of the Babcock Reserve Ranch Act to conform to the termination or expiration of the management agreement and the dissolution of Babcock Ranch, Inc.
 - Creating the Babcock Ranch Advisory Group to assist the department by providing guidance and advice concerning the management and stewardship of the Babcock Ranch Preserve.
 - Authorizing the department and commission to establish and implement certain fees.
- Authorizes the Board of Trustees of the Internal Improvement Trust Fund to enter into certain agreements.
- Clarifies any cash, unexpended balances, or assets remaining after the Babcock Ranch, Inc., is dissolved shall revert to the state.
- Revises provisions relating to the distribution of funds to aid local mosquito control programs.
- Eliminates all permitting requirements for livestock haulers and the issuance of metal tags or plates to the livestock haulers by the department.
- Creates the Division of Food, Nutrition, and Wellness within the department.
- Authorizes the department to enter into agreements or to terminate agreements with Direct Support Organizations without having to file legislation.
- Moves procedures for certain fertilizer analyses from statute to rule to allow for changes in technology and in commercial fertilizer practices.
- Moves numeric criteria for laboratory analysis of fertilizer samples from statute to rule and provides the department with clear authority to adopt rules that address the criteria.
- Authorizes the department to recover costs incurred during enforcement actions related to the adulteration or misbranding of honey.
- Expands the Operation Outdoor Freedom Program to provide more recreational opportunities for wounded veterans.
- Gives the Florida Forest Service (FFS) the power, authority, and duty to authorize broadcast burning, prescribed burning, pile burning, and land clearing debris burning.

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- Changes the name of the Florida Center for Wildfire and Forest Resources Management Training to the Florida Forest Service Training Center and removes the advisory committee for the training center.
- Defines the term “gross negligence” to limit the liability of the FFS, landowners, and leaseholders when conducting prescribed burns. Authorizes the FFS to delegate land clearing and yard trash burning to special districts as well as to counties and municipalities.
- Revises provisions relating to criminal penalties for obstructing the prevention, detection or suppression of wildfires.
- Creates ch. 595, F.S., the “Florida School Food and Nutrition Act.”
- Provides state policy for school food service and food service programs.
- Requires each school to electronically submit its local school wellness policy to the Department of Agriculture and Consumer Services rather than to the Department of Education.

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

Vote: Senate 39-0; House 115-0