

Tab 1	SB 1514 by Albritton; (Identical to H 00921) Department of Agriculture and Consumer Services						
334860	D	S	RCS	AG, Albritton	Delete everything after	02/11 12:04 PM	

Tab 2	CS/SB 1414 by EN, Mayfield; (Compare to H 00777) Fish and Wildlife Activities						
217774	A	S	RCS	AG, Mayfield	Delete L.65:	02/11 11:26 AM	

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Albritton, Chair
Senator Gainer, Vice Chair

MEETING DATE: Tuesday, February 11, 2020

TIME: 10:00 a.m.—12:00 noon

PLACE: 301 Senate Building

MEMBERS: Senator Albritton, Chair; Senator Gainer, Vice Chair; Senators Broxson, Montford, and Rader

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 1514 Albritton (Identical H 921, Compare H 5003, H 5401)	Department of Agriculture and Consumer Services; Revising the contents of a Department of Agriculture and Consumer Services report to the Governor and the Legislature to include the development of certain renewable and alternative energy technologies; requiring the department to promote the development of alternative fuel and alternative vehicle technologies; authorizing the department to consider the use of a fumigant as a pesticide for raw agricultural commodities; requiring operation permits for wholesalers of frozen dessert products, etc. AG 02/11/2020 Fav/CS IT AP	Fav/CS Yeas 3 Nays 0
2	CS/SB 1414 Environment and Natural Resources / Mayfield (Compare H 777)	Fish and Wildlife Activities; Prohibiting certain harassment of hunters, trappers, and fishers within or on public lands or publicly or privately owned wildlife and fish management areas, or in or on public waters; authorizing the Fish and Wildlife Conservation Commission to designate additional annual free freshwater and saltwater fishing days; prohibiting the keeping, possessing, importing, selling, bartering, trading, or breeding of certain species except for educational or research purposes; including green iguanas and species of the genera Salvator and Tupinambis in such prohibition, etc. EN 02/03/2020 Fav/CS AG 02/11/2020 Fav/CS RC	Fav/CS Yeas 4 Nays 0

Other Related Meeting Documents

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 1514

INTRODUCER: Agriculture Committee and Senator Albritton

SUBJECT: Department of Agriculture and Consumer Services

DATE: February 12, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Akhavein	Becker	AG	Fav/CS
2.			IT	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1514 addresses various issues related to agriculture and certain powers and duties of the Department of Agriculture and Consumer Services (department). Specifically, the bill:

- Specifies a methodology for a property appraiser to assess buildings or structures on agricultural lands which are used for production, packaging, processing, or storage;
- Eliminates a distance requirement for vehicles making local trips while transporting agricultural products;
- Postpones a sunset provision for certain Pest Control Trust Fund expenditures;
- Revises the Florida Service’s training requirements and certifications for firefighters; and
- Requires the Department of Environmental Protection, in coordination with the Department of Agriculture and Consumer Services, the Florida chapter of the National Waste and Recycling Association, and the Florida Natural Gas Association, to develop a study to estimate the potential benefits of renewable natural gas in Florida.

II. Present Situation:

Taxation of Agricultural Lands and Property

A property appraiser classifies land on an annual basis as agricultural or nonagricultural. An owner must apply to the property appraiser by March 1, and may be required to supply information and allow inspection to establish that the property is used for bona fide agricultural purposes.

The income methodology approach is a type of real estate appraisal method that allows a property appraiser to estimate the value of a property based on the income the property generates. Currently property such as irrigation systems, litter containment structures, and pumps and motors used for agricultural purposes on agricultural land are considered a part of the average yields per acre and have no separately assessable contributory value. The bill would authorize buildings or structures used for production, packaging, processing, or storage to be assessed by the income methodology approach to assessment of property.

Agricultural Loads on Vehicles

Federal rules require that each commercial motor vehicle, when transporting cargo on public roads to have its cargo secured to prevent the cargo from leaking, spilling, blowing or falling from the motor vehicle.¹

Under Florida law, a vehicle may not be driven or moved on any highway unless the vehicle is constructed or loaded as to prevent any of its load from dropping, shifting, leaking, blowing, or otherwise escaping from the vehicle.²

Every vehicle owner and driver has the duty to prevent items from escaping from his or her vehicle. Covering and securing the load with a close-fitting tarpaulin or other appropriate cover or a load securing device meeting federal requirements or a device designed to reasonably ensure that cargo will not shift upon or fall from the vehicle is required and constitutes compliance.³

However, Florida's load covering and securing provisions do not apply to vehicles carrying agricultural products locally from a harvest site or to or from a farm on roads where the posted speed limit is 65 miles per hour or less and the distance driven on public roads is less than 20 miles.⁴

Florida Forest Service

The Florida Forest Service employs more than 1,250 people in more than 90 job classes. To become licensed, Florida Forest Service firefighters must complete a fire training course approved by the Florida State Fire College of the Division of State Fire Marshal and a minimum of 250 hours of wildfire training. The Division of the State Fire Marshal's structural training course must be at least 206 hours. Students must pass a required exam administered by the division and meet the Florida Forest Services' requirements to receive a Forestry Certificate of Compliance. The Florida Forest Service, unlike many other fire suppression and safety agencies, primarily manages wildland or forest fires that may involve a structural element.

Department of Agriculture and Consumer Services Office of Energy

The Office of Energy is the legislatively designated state energy policy and program development office in Florida. It evaluates energy-related studies, analyses and stakeholder input

¹ 49 C.F.R. 393.100

² Section 316.520(1), F.S.

³ Section 316.520(2), F.S.

⁴ Section 316.520(4), F.S.

and submits an Office of Energy Annual Report in order to recommend to the Governor and Legislature energy policies and programs that will move Florida toward a more diverse, stable and reliable energy portfolio. Using available state and federal funds, it develops and manages energy efficiency, renewable energy, and energy education programs throughout the state.

III. Effect of Proposed Changes:

Section 1 amends s. 193.461, F.S., to specify a methodology for a property appraiser to assess buildings or structures on agricultural lands which are used for production, packaging, processing, or storage.

Section 2 amends s. 316.520, F.S., to eliminate a distance requirement for vehicles making local trips while transporting agricultural products.

Section 3 amends s. 570.441, F.S., to extend the expiration for the use of funds in the Pest Control Trust Fund from June 30, 2020, until June 30, 2024. This would allow the department to continue to use these funds to carry out the duties of the Division of Agricultural Environmental Services.

Section 4 amends s. 590.02, F.S., to require the Florida Forest Service to restructure its training course to better meet its wildland firefighters' specific training needs. The training curriculum would need to contain a minimum of:

- 40 hours of structural firefighter training;
- 40 hours of emergency medical training; and
- 376 hours of wildfire training, rather than the current 250.

Section 5 amends s. 633.408, F.S., to provide wildland firefighter training and certification for firefighters and volunteer firefighters. These changes are needed to conform to changes made to Section 4 of the bill.

Section 6 creates an as yet undesignated section to require a renewable natural gas study. The Department of Environmental Protection, in coordination with the Department of Agriculture and Consumer Services, the Florida chapter of the National Waste and Recycling Association, and the Florida Natural Gas Association must develop a study to estimate the potential benefits of renewable natural gas in Florida. Specifically, the study must consider:

- The use of renewable natural gas resources to generate energy and fuel and the benefits for local communities, the economy, and the environment;
- The ability of renewable natural gas to create new revenue streams for local governments, agricultural producers, and other producers of waste; and
- The potential for renewable natural gas to contribute to energy security by providing the gas grid enhanced diversity of supply.

The bill requires the Department of Environmental Protection to report the results of the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives upon completion of the study.

Section 7 provides that this act shall take effect July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The bill expands the list of property located on agricultural land that a tax assessor can consider when using the income methodology approach to assessment of agricultural property.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 193.461, 316.520, 570.441, 590.02, and 633.408.

This bill creates an as yet undesignated section.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by the Agriculture Committee on February 11, 2020:

The committee substitute deletes sections of SB 1514 that:

- Revise the contents of an annual department report to the Governor and the Legislature to include the development of renewable energy, alternative fuels, and alternative technologies;
- Require the department to promote the development of alternative fuel and alternative vehicle technologies;
- Delete a requirement that the department prepare a separate energy report of the utilization of the renewable energy technologies investment tax credit;
- Clarify the definition of food establishment to be consistent with the state's current regulatory structure;
- Revise the membership of the Florida Food Safety and Food Defense Advisory Council;
- Realign Chapter 502 with recent updates to the federal Grade A Pasteurized Milk Ordinance;
- Clarify the preexisting distinction between wholesale and retail frozen dessert sellers and phases out the frozen dessert plant number of gallons of frozen dessert produced reporting requirement;
- Revise the authority of the department to include the inspection of facilities used to distribute milk and milk products and collect samples of those products for testing;
- Eliminate the Milkfat Content Permit reporting requirements;
- Delete the Dairy Industry Technical Council;
- Revise the requirements for the agriculture water conservation program and expands the types of cost-share projects for irrigation system retrofit, mobile irrigation laboratory evaluations, and water conservation that can be considered and funded;
- Establish a waiver process by rule for School Nutrition Program Sponsors;
- Define Raw Agricultural Commodity Fumigation and clarify the applicability of licensure requirements;
- Enable the department to consider whether an entity performs Raw Agricultural Commodity Fumigation when making license classification decisions; and
- Clarify the food establishment licensee fee submission deadline.

The committee substitute adds sections to SB 1514 that:

- Specify a methodology for a property appraiser to assess buildings or structures on agricultural lands which are used for production, packaging, processing, or storage;
- Eliminate a distance requirement for vehicles making local trips while transporting agricultural products; and

- Require the Department of Environmental Protection, in coordination with the Department of Agriculture and Consumer Services, the Florida chapter of the National Waste and Recycling Association, and the Florida Natural Gas Association to develop a study to estimate the potential benefits of renewable natural gas in Florida.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/11/2020	.	
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	.	

The Committee on Agriculture (Albritton) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

(6) (c) 1. For purposes of the income methodology approach to
assessment of property used for agricultural purposes,



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11 irrigation systems, including pumps and motors, physically
12 attached to the land shall be considered a part of the average
13 yields per acre and shall have no separately assessable
14 contributory value.

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

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

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

29 5. Any building or structure located on land that is
30 classified as agricultural and which is used in and in
31 furtherance of the agricultural purpose of the land, including,
32 but not limited to, buildings or structures used for production,
33 packaging, processing, or storage, shall be assessed by the
34 methodology described in subparagraph 1.

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

37 316.520 Loads on vehicles.—

38 (4) The provision of subsection (2) requiring covering and
39 securing the load with a close-fitting tarpaulin or other



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40 appropriate cover does not apply to vehicles carrying
41 agricultural products locally from a harvest site or to or from
42 a farm on roads where the posted speed limit is 65 miles per
43 hour or less ~~and the distance driven on public roads is less~~
44 ~~than 20 miles.~~

45 Section 3. Subsection (4) of section 570.441, Florida
46 Statutes, is amended to read

47 570.441 Pest Control Trust Fund.—

48 (4) In addition to the uses authorized under subsection
49 (2), moneys collected or received by the department under
50 chapter 482 may be used to carry out the provisions of s.
51 570.44. This subsection expires June 30, 2024 ~~2020~~.

52 Section 4. Subsection (1) of section 590.02, Florida
53 Statutes, is amended to read

54 590.02 Florida Forest Service; powers, authority, and
55 duties; liability; building structures; Withlacoochee Training
56 Center.—

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

59 (a) Enforce the provisions of this chapter;

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

64 (c) Provide firefighting crews, who shall be under the
65 control and direction of the Florida Forest Service and its
66 designated agents;

67 (d) Appoint center managers, forest area supervisors,
68 forestry program administrators, a forest protection bureau



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69 chief, a forest protection assistant bureau chief, a field
70 operations bureau chief, deputy chiefs of field operations,
71 district managers, forest operations administrators, senior
72 forest rangers, investigators, forest rangers, firefighter
73 rotorcraft pilots, and other employees who may, at the Florida
74 Forest Service's discretion, be certified as forestry
75 firefighters pursuant to s. 633.408(8). Other law
76 notwithstanding, center managers, district managers, forest
77 protection assistant bureau chief, and deputy chiefs of field
78 operations have Selected Exempt Service status in the state
79 personnel designation;

80 (e) Develop a training curriculum for wildland forestry
81 firefighters which must contain a minimum of 40 hours of
82 structural firefighter training, a minimum of 40 hours of
83 emergency medical training, ~~the basic volunteer structural fire~~
84 ~~training course approved by the Florida State Fire College of~~
85 ~~the Division of State Fire Marshal~~ and a minimum of 376 ~~250~~
86 hours of wildfire training;

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

92 (g) Provide fire management services and emergency response
93 assistance and set and charge reasonable fees for performance of
94 those services. Moneys collected from such fees shall be
95 deposited into the Incidental Trust Fund of the Florida Forest
96 Service;

97 (h) Require all state, regional, and local government



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98 agencies operating aircraft in the vicinity of an ongoing
99 wildfire to operate in compliance with the applicable state
100 Wildfire Aviation Plan;

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

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

105 Section 5. Subsection (8) of section 633.408, Florida
106 Statutes, is amended to read:

107 633.408 Firefighter and volunteer firefighter training and
108 certification.—

109 (8) (a) Pursuant to s. 590.02(1)(e), the division shall
110 establish a structural fire training program of not less than 40
111 ~~206~~ hours. The division shall issue to a person satisfactorily
112 complying with this training program and who has successfully
113 passed an examination as prescribed by the division and who has
114 met the requirements of s. 590.02(1)(e), a Wildland Firefighter
115 ~~Forestry~~ Certificate of Compliance.

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

120 Section 6. Renewable natural gas study.—

121 (1) The Department of Environmental Protection, in
122 coordination with the Department of Agriculture and Consumer
123 Services, the Florida chapter of the National Waste and
124 Recycling Association, and the Florida Natural Gas Association,
125 shall develop a study to estimate the potential benefits of
126 renewable natural gas in this state. The study must consider all



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127 of the following:

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

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

134 (c) The potential for renewable natural gas to contribute
135 to energy security by providing the gas grid enhanced diversity
136 of supply.

137 (2) The Department of Environmental Protection shall submit
138 a report of the results of the study to the Governor, the
139 President of the Senate, and the Speaker of the House of
140 Representatives upon completion of such study.

141 Section 7. This act shall take effect July 1, 2020.

142

143 ===== T I T L E A M E N D M E N T =====

144 And the title is amended as follows:

145 Delete everything before the enacting clause
146 and insert:

147 A bill to be entitled
148 An act relating to the Department of Agriculture and
149 Consumer Services; amending s. 193.461, F.S.;
150 specifying a methodology for the assessment of certain
151 buildings and structures located on agricultural
152 lands; amending s. 316.520, F.S.; revising application
153 of agricultural load securing requirements; amending
154 s. 570.441, F.S.; extending the scheduled expiration
155 for the Department of Agriculture and Consumer



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156 Services' use of funds from the Pest Control Trust
157 Fund for certain duties of the department; amending s.
158 590.02, F.S.; directing the Florida Forest Service to
159 develop a training curriculum for wildland
160 firefighters; providing requirements for such
161 training; amending s. 633.408, F.S.; providing
162 wildland firefighter training and certification for
163 certain firefighters and volunteer firefighters;
164 providing legislative findings; requiring the
165 Department of Environmental Protection, in
166 coordination with the Department of Agriculture and
167 Consumer Services and other entities, to develop a
168 study to estimate the benefits of renewable natural
169 gas in this state; requiring a report to the Governor
170 and the Legislature; providing an effective date.

By Senator Albritton

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1 A bill to be entitled
 2 An act relating to the Department of Agriculture and
 3 Consumer Services; amending s. 377.703, F.S.; revising
 4 the contents of a Department of Agriculture and
 5 Consumer Services report to the Governor and the
 6 Legislature to include the development of certain
 7 renewable and alternative energy technologies;
 8 requiring the department to promote the development of
 9 alternative fuel and alternative vehicle technologies;
 10 requiring the Division of Emergency Management to
 11 consult with the department to include specified
 12 provisions in a certain report; deleting a requirement
 13 that the department prepare a separate, specified
 14 renewable energy report; amending s. 487.021, F.S.;
 15 defining the term "raw agricultural commodities
 16 fumigation"; amending s. 487.0435, F.S.; authorizing
 17 the department to consider the use of a fumigant as a
 18 pesticide for raw agricultural commodities; amending
 19 s. 500.03, F.S.; revising definitions; amending s.
 20 500.033, F.S.; revising the membership of the Florida
 21 Food Safety and Food Defense Advisory Council;
 22 amending s. 500.12, F.S.; conforming provisions to
 23 changes made by the act; revising the date by which a
 24 late fee is imposed for nonpayment of an applicable
 25 permit; amending s. 500.121, F.S.; conforming
 26 provisions to changes made by the act; amending s.
 27 500.147, F.S.; updating a reference to certain bottled
 28 water provisions; amending s. 502.012, F.S.; defining
 29 and redefining terms; amending s. 502.014, F.S.;

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

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30 revising the authority of the department to conduct
 31 onsite inspections of certain facilities and to
 32 collect samples of products at such facilities for
 33 testing; amending s. 502.053, F.S.; requiring
 34 operation permits for wholesalers of frozen dessert
 35 products; deleting a requirement that a frozen dessert
 36 plant permit holder submit specified reports to the
 37 department; providing an exemption from bulk milk
 38 hauler/sampler permit requirements; amending s.
 39 502.181, F.S.; revising the prohibitions against
 40 certain testing for milkfat content and for
 41 repasteurizing milk; amending s. 502.231, F.S.;
 42 conforming a provision to changes made by the act;
 43 repealing s. 502.301, F.S., relating to the Dairy
 44 Industry Technical Council; amending s. 570.441, F.S.;
 45 extending the expiration for the use of funds from the
 46 Pest Control Trust Fund; amending s. 570.93, F.S.;
 47 revising requirements for the agricultural water
 48 conservation program; amending s. 590.02, F.S.;
 49 directing the Florida Forest Service to develop a
 50 training curriculum for wildland firefighting;
 51 providing requirements for such training; amending s.
 52 595.404, F.S.; authorizing the department to adopt and
 53 implement an exemption, variance, and waiver process
 54 for school food and other nutrition programs; amending
 55 s. 633.408, F.S.; providing wildland firefighter
 56 training and certification for certain firefighters
 57 and volunteer firefighters; reenacting ss.
 58 373.016(4)(a), 373.223(3), and 373.701(2)(a), F.S.,

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59 relating to a declaration of policy, conditions for a
60 permit, and a declaration of policy, respectively, to
61 incorporate the amendment made to s. 500.033, F.S., in
62 references thereto; providing an effective date.

63
64 Be It Enacted by the Legislature of the State of Florida:

65
66 Section 1. Paragraphs (f), (k), (m), and (n) of subsection
67 (2) of section 377.703, Florida Statutes, are amended to read:

68 377.703 Additional functions of the Department of
69 Agriculture and Consumer Services.—

70 (2) DUTIES.—The department shall perform the following
71 functions, unless as otherwise provided, consistent with the
72 development of a state energy policy:

73 (f) The department shall submit an annual report to the
74 Governor and the Legislature reflecting its activities and
75 making recommendations for policies for improvement of the
76 state's response to energy supply and demand and its effect on
77 the health, safety, and welfare of the residents of this state.
78 The report must include a report from the Florida Public Service
79 Commission on electricity and natural gas and information on
80 energy conservation programs conducted and underway in the past
81 year and include recommendations for energy efficiency and
82 conservation programs for the state, including:

83 1. Formulation of specific recommendations for improvement
84 in the efficiency of energy utilization in governmental,
85 residential, commercial, industrial, and transportation sectors.

86 2. Collection and dissemination of information relating to
87 energy efficiency and conservation.

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88 3. Development and conduct of educational and training
89 programs relating to energy efficiency and conservation,
90 renewable energy, alternative fuels, and alternative vehicle
91 technologies.

92 4. An analysis of the ways in which state agencies are
93 seeking to implement s. 377.601(2), the state energy policy, and
94 recommendations for better fulfilling this policy.

95 (k) The department shall coordinate energy-related programs
96 of state government, including, but not limited to, the programs
97 provided in this section. To this end, the department shall:

98 1. Provide assistance to other state agencies, counties,
99 municipalities, and regional planning agencies to further and
100 promote their energy planning activities.

101 2. Require, in cooperation with the Department of
102 Management Services, all state agencies to operate state-owned
103 and state-leased buildings in accordance with energy
104 conservation standards as adopted by the Department of
105 Management Services. Every 3 months, the Department of
106 Management Services shall furnish the department data on
107 agencies' energy consumption and emissions of greenhouse gases
108 in a format prescribed by the department.

109 3. Promote the development and use of renewable energy
110 resources, energy efficiency technologies, ~~and~~ conservation
111 measures, and alternative fuel and alternative vehicle
112 technologies.

113 4. Promote the recovery of energy from wastes, including,
114 but not limited to, the use of waste heat, the use of
115 agricultural products as a source of energy, and recycling of
116 manufactured products. Such promotion shall be conducted in

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117 conjunction with, and after consultation with, the Department of
 118 Environmental Protection and the Florida Public Service
 119 Commission where electrical generation or natural gas is
 120 involved, and any other relevant federal, state, or local
 121 governmental agency having responsibility for resource recovery
 122 programs.

123 (m) In recognition of the devastation to the economy of
 124 this state and the dangers to the health and welfare of
 125 residents of this state caused by severe hurricanes, and the
 126 potential for such impacts caused by other natural disasters,
 127 the Division of Emergency Management, in consultation with the
 128 department, shall include in its energy emergency contingency
 129 plan and provide to the Florida Building Commission for
 130 inclusion in the Florida Building Energy Efficiency Code for Building
 131 Construction specific provisions to facilitate the use of cost-
 132 effective solar energy technologies as emergency remedial and
 133 preventive measures for providing electric power, street
 134 lighting, and water heating service in the event of electric
 135 power outages.

136 ~~(n) On an annual basis, the department shall prepare an~~
 137 ~~assessment of the utilization of the renewable energy~~
 138 ~~technologies investment tax credit authorized in s. 220.192 and~~
 139 ~~the renewable energy production credit authorized in s. 220.193,~~
 140 ~~which the department shall submit to the President of the~~
 141 ~~Senate, the Speaker of the House of Representatives, and the~~
 142 ~~Executive Office of the Governor by February 1 of each year. The~~
 143 ~~assessment shall include, at a minimum, the following~~
 144 ~~information:~~

145 1. ~~For the renewable energy technologies investment tax~~

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146 ~~credit authorized in s. 220.192.~~

147 a. ~~The name of each taxpayer receiving an allocation under~~
 148 ~~this section;~~

149 b. ~~The amount of the credits allocated for that fiscal year~~
 150 ~~for each taxpayer; and~~

151 c. ~~The type of technology and a description of each~~
 152 ~~investment for which each taxpayer receives an allocation.~~

153 2. ~~For the renewable energy production credit authorized in~~
 154 ~~s. 220.193:~~

155 a. ~~The name of each taxpayer receiving an allocation under~~
 156 ~~this section;~~

157 b. ~~The amount of credits allocated for that fiscal year for~~
 158 ~~each taxpayer;~~

159 c. ~~The type and amount of renewable energy produced and~~
 160 ~~sold, whether the facility producing that energy is a new or~~
 161 ~~expanded facility, and the approximate date on which production~~
 162 ~~began; and~~

163 d. ~~The aggregate amount of credits allocated for all~~
 164 ~~taxpayers claiming credits under this section for the fiscal~~
 165 ~~year.~~

166 Section 2. Present subsections (57) through (67) of section
 167 487.021, Florida Statutes, are redesignated as subsections (58)
 168 through (68), respectively, and a new subsection (57) is added
 169 to that section, to read:

170 487.021 Definitions.—For the purpose of this part:

171 (57) "Raw agricultural commodities fumigation" means the
 172 use of a fumigant pesticide, in a sufficient concentration to be
 173 lethal to a given organism, to treat for pests in any fruits,
 174 vegetables, nuts, legumes, mushrooms, or other non-animal matter

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175 customarily consumed by humans or animals. The term includes the
 176 process of fumigating raw agricultural commodities under a
 177 tarpaulin or in a structure such as a storage facility, barn,
 178 silos, warehouse, or shipping container which is not inhabited by
 179 human beings, agricultural livestock, or domestic pets and is
 180 not connected by construction elements containing voids, pipes,
 181 conduits, drains, or ducts to a structure inhabited by human
 182 beings, agricultural livestock, or domestic pets which could
 183 allow for transfer of fumigant between the structures.

184 Section 3. Subsection (7) is added to section 487.0435,
 185 Florida Statutes, to read:

186 487.0435 License classification.—The department shall issue
 187 certified applicator licenses in the following classifications:
 188 certified public applicator; certified private applicator; and
 189 certified commercial applicator. In addition, separate
 190 classifications and subclassifications may be specified by the
 191 department in rule as deemed necessary to carry out the
 192 provisions of this part. Each classification shall be subject to
 193 requirements or testing procedures to be set forth by rule of
 194 the department and shall be restricted to the activities within
 195 the scope of the respective classification as established in
 196 statute or by rule. In specifying classifications, the
 197 department may consider, but is not limited to, the following:

198 (7) The use of a fumigant as a pesticide, solely in raw
 199 agricultural commodities fumigation, as defined in s. 487.021.

200 Section 4. Paragraphs (d), (i), (p), (q), (r), (v), and
 201 (bb) of subsection (1) of section 500.03, Florida Statutes, are
 202 amended to read:

203 500.03 Definitions; construction; applicability.—

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204 (1) For the purpose of this chapter, the term:

205 (d) "Bottled water" means a beverage, as described in 21
 206 C.F.R. part 165 (2019) ~~(2006)~~, that is processed in compliance
 207 with 21 C.F.R. part 129 (2019) ~~(2006)~~.

208 ~~(i) "Convenience store" means a business that is engaged~~
 209 ~~primarily in the retail sale of groceries or motor fuels or~~
 210 ~~special fuels and may offer food services to the public.~~
 211 ~~Businesses providing motor fuel or special fuel to the public~~
 212 ~~which also offer groceries or food service are included in the~~
 213 ~~definition of a convenience store.~~

214 (o) ~~(p)~~ "Food establishment" means a factory, food outlet,
 215 or other facility manufacturing, processing, packing, holding,
 216 or preparing food or selling food at wholesale or retail. The
 217 term includes any establishment or section of an establishment
 218 where food and food products are offered to the consumer and are
 219 intended for off-premises consumption and delicatessens that
 220 offer prepared food in bulk quantities only. The term does not
 221 include a business or activity that is regulated under s.
 222 413.051, s. 500.80, chapter 509, or chapter 601. The term
 223 includes tomato packinghouses and repackers but does not include
 224 any other establishments that pack fruits and vegetables in
 225 their raw or natural states, including those fruits or
 226 vegetables that are washed, colored, or otherwise treated in
 227 their unpeeled, natural form before they are marketed; and
 228 markets that offer only fresh fruit and fresh vegetables for
 229 sale.

230 ~~(q) "Food outlet" means any grocery store; convenience~~
 231 ~~store; minor food outlet; meat, poultry, or fish and related~~
 232 ~~aquatic food market; fruit or vegetable market; food warehouse;~~

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233 ~~refrigerated storage facility; freezer locker; salvage food~~
 234 ~~facility; or any other similar place storing or offering food~~
 235 ~~for sale.~~

236 ~~(r) "Food service establishment" means any place where food~~
 237 ~~is prepared and intended for individual portion service, and~~
 238 ~~includes the site at which individual portions are provided. The~~
 239 ~~term includes any such place regardless of whether consumption~~
 240 ~~is on or off the premises and regardless of whether there is a~~
 241 ~~charge for the food. The term includes delicatessens that offer~~
 242 ~~prepared food in individual service portions. The term does not~~
 243 ~~include schools, institutions, fraternal organizations, private~~
 244 ~~homes where food is prepared or served for individual family~~
 245 ~~consumption, retail food stores, the location of food vending~~
 246 ~~machines, cottage food operations, and supply vehicles, nor does~~
 247 ~~the term include a research and development test kitchen limited~~
 248 ~~to the use of employees and which is not open to the general~~
 249 ~~public.~~

250 ~~(s)(v)~~ "Minor food outlet" means any food retail
 251 establishment that sells food groceries and may offer food
 252 service to the public, but where neither business activity is a
 253 major retail function of the establishment, based on allocated
 254 space or gross sales.

255 ~~(bb) "Retail food store" means any establishment or section~~
 256 ~~of an establishment where food and food products are offered to~~
 257 ~~the consumer and intended for off-premises consumption. The term~~
 258 ~~includes delicatessens that offer prepared food in bulk~~
 259 ~~quantities only. The term does not include establishments which~~
 260 ~~handle only prepackaged, nonpotentially hazardous foods;~~
 261 ~~roadside markets that offer only fresh fruits and fresh~~

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262 ~~vegetables for sale; food service establishments; or food and~~
 263 ~~beverage vending machines.~~

264 Section 5. Subsection (1) of section 500.033, Florida
 265 Statutes, is amended to read:

266 500.033 Florida Food Safety and Food Defense Advisory
 267 Council.—

268 (1) There is created the Florida Food Safety and Food
 269 Defense Advisory Council for the purpose of serving as a forum
 270 for presenting, investigating, and evaluating issues of current
 271 importance to the assurance of a safe and secure food supply to
 272 the citizens of Florida. The Florida Food Safety and Food
 273 Defense Advisory Council shall consist of, but not be limited
 274 to: the Commissioner of Agriculture or his or her designee; the
 275 State Surgeon General or his or her designee; the Secretary of
 276 Business and Professional Regulation or his or her designee; the
 277 person responsible for domestic security with the Department of
 278 Law Enforcement; members representing the production,
 279 processing, distribution, and sale of foods; consumers or
 280 members of citizens groups; representatives of food industry
 281 groups; scientists or other experts in aspects of food safety
 282 from state universities; representatives from local, state, and
 283 federal agencies that are charged with responsibilities for food
 284 safety or food defense; and as ex officio members, the chairs of
 285 the Agriculture Committees of the Senate and the House of
 286 Representatives or their designees, ~~and~~ the chairs of the
 287 committees of the Senate and the House of Representatives with
 288 jurisdictional oversight of home defense issues or their
 289 designees, and the person responsible for domestic security
 290 within the Department of Law Enforcement or his or her designee.

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291 The Commissioner of Agriculture shall appoint the remaining
 292 members. The council shall make periodic reports to the
 293 Department of Agriculture and Consumer Services concerning
 294 findings and recommendations in the area of food safety and food
 295 defense.

296 Section 6. Paragraphs (a), (b), and (e) of subsection (1)
 297 and subsection (2) of section 500.12, Florida Statutes, are
 298 amended to read:

299 500.12 Food permits; building permits.—

300 (1) (a) A food permit from the department is required of any
 301 person who operates a food establishment ~~or retail food store~~,
 302 except:

303 1. Persons operating minor food outlets that sell food that
 304 is commercially prepackaged, not potentially hazardous, and not
 305 time or temperature controlled for safety, if the shelf space
 306 for those items does not exceed 12 total linear feet and no
 307 other food is sold by the minor food outlet.

308 2. Persons subject to continuous, onsite federal or state
 309 inspection.

310 3. Persons selling only legumes in the shell, either
 311 parched, roasted, or boiled.

312 4. Persons selling sugar cane or sorghum syrup that has
 313 been boiled and bottled on a premise located within the state.
 314 Such bottles must contain a label listing the producer's name
 315 and street address, all added ingredients, the net weight or
 316 volume of the product, and a statement that reads, "This product
 317 has not been produced in a facility permitted by the Florida
 318 Department of Agriculture and Consumer Services."

319 (b) Each food establishment ~~and retail food store~~ regulated

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320 under this chapter must apply for and receive a food permit
 321 before operation begins. An application for a food permit from
 322 the department must be accompanied by a fee in an amount
 323 determined by department rule. The department shall adopt by
 324 rule a schedule of fees to be paid by each food establishment
 325 ~~and retail food store~~ as a condition of issuance or renewal of a
 326 food permit. Such fees may not exceed \$650 and shall be used
 327 solely for the recovery of costs for the services provided,
 328 except that the fee accompanying an application for a food
 329 permit for operating a bottled water plant may not exceed \$1,000
 330 and the fee accompanying an application for a food permit for
 331 operating a packaged ice plant may not exceed \$250. The fee for
 332 operating a bottled water plant or a packaged ice plant shall be
 333 set by rule of the department. Food permits are not transferable
 334 from one person or physical location to another. Food permits
 335 must be renewed annually on or before January 1. If a ~~an~~
 336 ~~application for renewal of a food permit~~ fee is not received in
 337 full by the department on or before January 1 ~~within 30 days~~
 338 ~~after its due date~~, a late fee not exceeding \$100 must be paid
 339 in addition to the applicable food permit fee ~~before the~~
 340 ~~department may issue the food permit~~. The moneys collected shall
 341 be deposited in the General Inspection Trust Fund.

342 (e) The department is the exclusive regulatory and
 343 permitting authority for all ~~food outlets, retail food stores,~~
 344 ~~food establishments, convenience stores,~~ and minor food outlets
 345 in accordance with this section. Application for a food permit
 346 must be made on forms provided by the department, which forms
 347 must also contain provision for application for registrations
 348 and permits issued by other state agencies and for collection of

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349 the food permit fee and any other fees associated with
350 registration, licensing, or applicable surcharges. The details
351 of the application shall be prescribed by department rule.

352 (2) When any person applies for a building permit to
353 construct, convert, or remodel any food establishment, ~~food~~
354 ~~outlet, or retail food store~~, the authority issuing such permit
355 shall make available to the applicant a printed statement,
356 provided by the department, regarding the applicable sanitation
357 requirements for such establishments. A building permitting
358 authority, or municipality or county under whose jurisdiction a
359 building permitting authority operates, may not be held liable
360 for a food establishment, ~~food outlet, or retail food store~~ that
361 does not comply with the applicable sanitation requirements due
362 to failure of the building permitting authority to provide the
363 information as provided in this subsection.

364 (a) The department shall furnish, for distribution, a
365 statement that includes the checklist to be used by the food
366 inspector in any preoperational inspections to assure that the
367 food establishment is constructed and equipped to meet the
368 applicable sanitary guidelines. Such preoperational inspection
369 shall be a prerequisite for obtaining a food permit in
370 accordance with this section.

371 (b) The department may provide assistance, when requested
372 by the applicant, in the review of any construction or
373 remodeling plans for food establishments. The department may
374 charge a fee for such assistance which covers the cost of
375 providing the assistance and which shall be deposited in the
376 General Inspection Trust Fund for use in funding the food safety
377 program.

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378 (c) A building permitting authority or other subdivision of
379 local government may not require the department to approve
380 construction or remodeling plans for food establishments ~~and~~
381 ~~retail food stores~~ as a condition of any permit or license at
382 the local level.

383 Section 7. Subsection (1) of section 500.121, Florida
384 Statutes, is amended to read:

385 500.121 Disciplinary procedures.—

386 (1) In addition to the suspension procedures provided in s.
387 500.12, if applicable, the department may impose an
388 administrative fine in the Class II category pursuant to s.
389 570.971 against any ~~retail food store~~, food establishment, or
390 cottage food operation that violates this chapter, which fine,
391 when imposed and paid, shall be deposited by the department into
392 the General Inspection Trust Fund. The department may revoke or
393 suspend the permit of any such ~~retail food store or~~ food
394 establishment if it is satisfied that the ~~retail food store or~~
395 food establishment has:

396 (a) Violated this chapter.

397 (b) Violated or aided or abetted in the violation of any
398 law of this state governing or applicable to ~~retail food stores~~
399 ~~or~~ food establishments or any lawful rules of the department.

400 (c) Knowingly committed, or been a party to, any material
401 fraud, misrepresentation, conspiracy, collusion, trick, scheme,
402 or device whereby another person, lawfully relying upon the
403 word, representation, or conduct of a ~~retail food store or~~ food
404 establishment, acts to her or his injury or damage.

405 (d) Committed any act or conduct of the same or different
406 character than that enumerated which constitutes fraudulent or

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407 dishonest dealing.

408 Section 8. Paragraph (a) of subsection (3) of section
409 500.147, Florida Statutes, is amended to read:

410 500.147 Inspection of food establishments, food records,
411 and vehicles.—

412 (3) For bottled water plants:

413 (a) Bottled water must be from an approved source. Bottled
414 water must be processed in conformance with 21 C.F.R. part 129
415 (2019) ~~(2006)~~, and must conform to 21 C.F.R. part 165 (2019)
416 ~~(2006)~~. A person operating a bottled water plant shall be
417 responsible for all water sampling and analyses required by this
418 chapter.

419 Section 9. Section 502.012, Florida Statutes, is amended to
420 read:

421 502.012 Definitions.—As used in this chapter, the term:

422 (1) "Bulk milk hauler/sampler" means a person who collects
423 official samples and may transport raw milk from a farm or raw
424 milk products to or from a milk plant, receiving station, or
425 transfer station and has in his or her possession a permit to
426 sample such products from any state regulatory agency charged in
427 implementing the United States Food and Drug Administration's
428 Grade "A" Milk Safety Program.

429 (2) "Bulk milk pickup tanker" means a vehicle, including
430 the truck and tank, and those appurtenances necessary for its
431 use, used by a bulk milk hauler/sampler to transport bulk raw
432 milk for pasteurization, ultra-pasteurization, aseptic
433 processing and packaging or retort processed after packaging
434 from a dairy farm to a milk plant, receiving station, or
435 transfer station necessary attachments, used by a milk hauler to

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436 ~~transport bulk raw milk for pasteurization from a dairy farm to~~
437 ~~a milk plant, receiving station, or transfer station.~~

438 ~~(3)(2)~~ "Dairy farm" means any place or premises where one
439 or more lactating animals, including cows, goats, sheep, water
440 buffalo, ~~or~~ other hooved mammals, or camels, are kept for
441 milking purposes and from which a part or all of the milk is
442 provided, sold, or offered for sale.

443 ~~(4)(3)~~ "Department" means the Department of Agriculture and
444 Consumer Services.

445 ~~(5)(4)~~ "Frozen dessert" means a specific standardized
446 frozen dessert described in 21 C.F.R. part 135 and any other
447 food defined by rule of the department which that resembles such
448 standardized frozen dessert but does not conform to the specific
449 description of such standardized frozen dessert in 21 C.F.R.
450 part 135. The term includes, but is not limited to, a
451 quiescently frozen confection, a quiescently frozen dairy
452 confection, a frozen dietary dairy dessert, and a frozen dietary
453 dessert.

454 ~~(6)(5)~~ "Frozen desserts manufacturer" means a person who
455 manufactures, processes, converts, partially freezes, or freezes
456 any mix or frozen dessert for distribution or sale.

457 ~~(7)(6)~~ "Frozen desserts plant" means any location or
458 premises at which frozen desserts or mix are manufactured,
459 processed, or frozen for distribution or sale at wholesale.

460 ~~(8)(7)~~ "Frozen desserts retail establishment" means any
461 location or premises, including a retail store, stand, hotel,
462 boardinghouse, restaurant, vehicle, or mobile unit, at which
463 frozen desserts are frozen, partially frozen, or dispensed for
464 sale at retail.

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465 ~~(9)(8)~~ "Frozen dietary dairy dessert" or "frozen dietary
466 dessert" means a food for any special dietary use, prepared by
467 freezing, with or without agitation, and composed of a
468 pasteurized mix that may contain fat, protein, carbohydrates,
469 natural or artificial sweeteners, flavoring, stabilizers,
470 emulsifiers, vitamins, and minerals.

471 ~~(10)(9)~~ "Grade 'A' pasteurized milk ordinance" means the
472 document entitled "Grade 'A' Pasteurized Milk Ordinance, United
473 States Department of Health and Human Services, Public Health
474 Service, Food and Drug Administration," including all associated
475 appendices, as adopted by department rule.

476 ~~(11)(10)~~ "Imitation milk and imitation milk products" means
477 those foods that have the physical characteristics, such as
478 taste, flavor, body, texture, or appearance, of milk or milk
479 products as defined in this chapter and the Grade "A"
480 pasteurized milk ordinance but do not come within the definition
481 of "milk" or "milk products" and are nutritionally inferior to
482 the product imitated.

483 ~~(12)(11)~~ "Milk" means the lacteal secretion, practically
484 free from colostrum, obtained by the complete milking of one or
485 more healthy cows, goats, sheep, water buffalo, camels, or other
486 hooved mammals.

487 ~~(13)(12)~~ "Milk distributor" means any person who offers for
488 sale or sells to another person any milk or milk product.

489 ~~(14)(13)~~ "Milk products" means products made with milk that
490 is processed in some manner, including being whipped, acidified,
491 cultured, concentrated, lactose-reduced, or sodium-reduced or
492 aseptically processed, or having the addition or subtraction of
493 milkfat, the addition of safe and suitable microbial organisms,

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494 or the addition of safe and suitable optional ingredients for
495 protein, vitamin, or mineral fortification. "Milk products" do
496 not include products such as evaporated milk, condensed milk,
497 eggnog in a rigid metal container, dietary products, infant
498 formula, or ice cream and other desserts.

499 ~~(15)(14)~~ "Milkfat" or "butterfat" means the fat contained
500 in milk.

501 ~~(16)(15)~~ "Milk hauler" means any person who transports raw
502 milk or raw milk products to or from a milk plant, receiving
503 station, or transfer station.

504 ~~(17)(16)~~ "Milk plant" means any place, premises, or
505 establishment where milk or milk products are collected,
506 handled, processed, stored, pasteurized, ultra-pasteurized,
507 aseptically processed and packaged, retort processed after
508 packaged, condensed, dried, packaged, bottled, or prepared for
509 distribution.

510 ~~(18)(17)~~ "Milk plant operator" means any person responsible
511 for receiving, processing, pasteurizing, or packaging milk and
512 milk products, or performing any other related operation.

513 ~~(19)(18)~~ "Milk producer" means any person who operates a
514 dairy farm and provides, sells, or offers for sale milk to a
515 milk plant, receiving station, or transfer station.

516 ~~(20)(19)~~ "Milk tank truck" means either a bulk milk pickup
517 tanker or a milk transport tank.

518 ~~(21)(20)~~ "Milk transport tank" means a vehicle, including
519 the truck and tank, used by a bulk milk hauler/sampler or a milk
520 hauler to transport bulk shipments of milk from a milk plant,
521 receiving station, or transfer station to another milk plant,
522 receiving station, or transfer station.

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523 (22)~~(21)~~ "Quiescently frozen confection" means a clean and
 524 wholesome frozen, sweetened, flavored product that, while being
 525 frozen, was not stirred or agitated (generally known as
 526 quiescent freezing). The confection may be acidulated with food-
 527 grade acid, may contain milk solids or water, or may be made
 528 with or without added harmless pure or imitation flavoring and
 529 with or without harmless coloring. The finished product must not
 530 contain more than 0.5 percent by weight of stabilizer composed
 531 of wholesome, edible material and must not contain less than 17
 532 percent by weight of total food solids. In the production of the
 533 confection, processing or mixing before quiescent freezing that
 534 develops in the finished confection mix any physical expansion
 535 in excess of 10 percent may not be used.

536 (23)~~(22)~~ "Quiescently frozen dairy confection" means a
 537 clean and wholesome frozen product made from water, milk
 538 products, and sugar, with added harmless pure or imitation
 539 flavoring, with or without added harmless coloring, with or
 540 without added stabilizer, or with or without added emulsifier,
 541 that, while being frozen, was not stirred or agitated (generally
 542 known as quiescent freezing). The confection must not contain
 543 less than 13 percent by weight of total milk solids, less than
 544 33 percent by weight of total food solids, more than 0.5 percent
 545 by weight of stabilizer, or more than 0.2 percent by weight of
 546 emulsifier. Stabilizer and emulsifier must be composed of
 547 wholesome, edible material. In the production of a quiescently
 548 frozen dairy confection, processing or mixing before quiescently
 549 freezing that develops in the finished confection mix any
 550 physical expansion in excess of 10 percent may not be used.

551 (24)~~(23)~~ "Raw milk" means unpasteurized ~~unprocessed~~ milk.

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552 (25)~~(24)~~ "Receiving station" means any place, premises, or
 553 establishment where raw milk is received, collected, handled,
 554 stored, or cooled and is prepared for further transporting.

555 (26) "Reconstituted milk or milk products" or "recombined
 556 milk or milk products" means milk or milk products that result
 557 from reconstituting or recombining milk constituents with
 558 potable water.

559 (27) "Retail" means the sale of goods to the public for use
 560 or consumption rather than for resale.

561 (28)~~(25)~~ "Substitute milk and substitute milk products"
 562 means those foods that have the physical characteristics, such
 563 as taste, flavor, body, texture, or appearance, of milk or milk
 564 products as defined in this chapter and the Grade "A"
 565 pasteurized milk ordinance but do not come within the definition
 566 of "milk" or "milk products" and are nutritionally equivalent to
 567 the product for which they are substitutes.

568 (29)~~(26)~~ "Transfer station" means any place, premises, or
 569 establishment where milk or milk products are transferred
 570 directly from one milk tank truck to another.

571 (30) "Ultra-pasteurization" means the process of thermally
 572 processing a milk or milk product at or above 280 degrees
 573 Fahrenheit for at least 2 seconds, before or after packaging, so
 574 as to produce a milk or milk product that has an extended shelf-
 575 life under refrigerated conditions.

576 (31)~~(27)~~ "Washing station" means any place, premises, or
 577 establishment where milk tank trucks are cleaned and sanitized.

578 (32) "Wholesale" means the selling of goods in quantity to
 579 be retailed by others.

580 Section 10. Paragraph (a) of subsection (2) of section

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581 502.014, Florida Statutes, is amended to read:

582 502.014 Powers and duties.—

583 (2) (a) The department shall conduct onsite inspections of
584 all facility types defined in this chapter, and any products
585 produced or received by such facilities, and shall collect
586 samples for testing of any products produced or stored in such
587 facilities dairy farms, milk plants, and frozen dessert plants
588 and collect test samples of milk, milk products, and frozen
589 desserts as required by this chapter.

590 Section 11. Paragraph (b) of subsection (1), paragraph (d)
591 of subsection (3), and paragraph (a) of subsection (4) of
592 section 502.053, Florida Statutes, are amended to read:

593 502.053 Permits and fees; requirements; exemptions;
594 temporary permits.—

595 (1) PERMITS.—

596 (b) Each frozen dessert plant, whether located in the state
597 or outside the state, that manufactures frozen desserts or other
598 products defined in this chapter and offers these products for
599 wholesale sale in this state must apply to the department for a
600 permit to operate. The application must be submitted on forms
601 prescribed by the department. All frozen dessert permits expire
602 on June 30 of each year.

603 (3) REQUIREMENTS.—

604 ~~(d) Each frozen dessert plant permit holder must report~~
605 ~~monthly, quarterly, semiannually, or annually, as required by~~
606 ~~the department, the number of gallons of frozen dessert or~~
607 ~~frozen dessert mix sold or manufactured by the permit holder in~~
608 ~~this state.~~

609 (4) EXEMPTIONS.—

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610 (a) The following persons are ~~shall be~~ exempt from bulk
611 milk hauler/sampler milk hauler permit requirements:

612 1. Milk producers who transport milk or milk products only
613 from their own dairy farms.

614 2. Employees of a milk distributor or milk plant operator
615 who possesses a valid permit.

616 3. Drivers of bulk milk tank trucks between locations who
617 do not collect milk from farms.

618 Section 12. Subsections (1) and (4) of section 502.181,
619 Florida Statutes, are amended to read:

620 502.181 Prohibited acts.—It is unlawful for any person in
621 this state to:

622 (1) Engage in the business of producing, hauling,
623 transferring, receiving, processing, packaging, or distributing
624 milk, milk products, or frozen desserts or operating a washing
625 station, manufacturing single-service containers, or
626 manufacturing imitation or substitute milk or milk products, ~~or~~
627 ~~testing for milkfat content~~, without first obtaining a permit or
628 license from the department.

629 ~~(4) Repasteurize milk.~~

630 Section 13. Paragraph (b) of subsection (1) of section
631 502.231, Florida Statutes, is amended to read:

632 502.231 Penalty and injunction.—

633 (1) The department may enter an order imposing one or more
634 of the following penalties against any person who violates any
635 provision of this chapter:

636 (b) Imposition of an administrative fine:

637 1. In the Class II category pursuant to s. 570.971 for each
638 violation in the case of a frozen dessert licensee; or

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639 2. ~~Ten percent of the license fee or \$100, whichever is~~
 640 ~~greater, for failure to report the information described in s.~~
 641 ~~502.053(3)(d); or~~

642 3. In the Class I category pursuant to s. 570.971 for each
 643 occurrence for any other violation.

644
 645 When imposing a fine under this paragraph, the department must
 646 consider the degree and extent of harm caused by the violation,
 647 the cost of rectifying the damage, the benefit to the violator,
 648 whether the violation was committed willfully, and the
 649 violator's compliance record.

650 Section 14. Section 502.301, Florida Statutes, is repealed.

651 Section 15. Subsection (4) of section 570.441, Florida
 652 Statutes, is amended to read:

653 570.441 Pest Control Trust Fund.—

654 (4) In addition to the uses authorized under subsection
 655 (2), moneys collected or received by the department under
 656 chapter 482 may be used to carry out the provisions of s.
 657 570.44. This subsection expires June 30, 2024 ~~2020~~.

658 Section 16. Upon the expiration and reversion of the
 659 amendment made to section 570.93, Florida Statutes, pursuant to
 660 section 91 of chapter 2019-116, Laws of Florida, paragraphs (a)
 661 and (c) of subsection (1) of section 570.93, Florida Statutes,
 662 are amended to read:

663 570.93 Department of Agriculture and Consumer Services;
 664 agricultural water conservation and agricultural water supply
 665 planning.—

666 (1) The department shall establish an agricultural water
 667 conservation program that includes the following:

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668 (a) A cost-share program, coordinated where appropriate
 669 with the United States Department of Agriculture and other
 670 federal, state, regional, and local agencies, for irrigation
 671 system retrofit and application of mobile irrigation laboratory
 672 evaluations and for water conservation and ~~as provided in this~~
 673 ~~section and, where applicable, for~~ water quality improvement
 674 ~~pursuant to s. 403.067(7)(c).~~

675 (c) Provision of assistance to the water management
 676 districts in the development and implementation, to the extent
 677 practicable, of a consistent, ~~to the extent practicable~~,
 678 methodology for the efficient allocation of water for
 679 agricultural irrigation.

680 Section 17. Subsection (1) of section 590.02, Florida
 681 Statutes, is amended to read:

682 590.02 Florida Forest Service; powers, authority, and
 683 duties; liability; building structures; Withlacoochee Training
 684 Center.—

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

687 (a) Enforce the provisions of this chapter;

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

692 (c) Provide firefighting crews, who shall be under the
 693 control and direction of the Florida Forest Service and its
 694 designated agents;

695 (d) Appoint center managers, forest area supervisors,
 696 forestry program administrators, a forest protection bureau

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

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697 chief, a forest protection assistant bureau chief, a field
698 operations bureau chief, deputy chiefs of field operations,
699 district managers, forest operations administrators, senior
700 forest rangers, investigators, forest rangers, firefighter
701 rotorcraft pilots, and other employees who may, at the Florida
702 Forest Service's discretion, be certified as forestry
703 firefighters pursuant to s. 633.408(8). Other law
704 notwithstanding, center managers, district managers, forest
705 protection assistant bureau chief, and deputy chiefs of field
706 operations have Selected Exempt Service status in the state
707 personnel designation;

708 (e) Develop a training curriculum for wildland forestry
709 firefighters which must contain a minimum of 40 hours of
710 structural firefighter training, a minimum of 40 hours of
711 emergency medical training, the basic volunteer structural fire
712 training course approved by the Florida State Fire College of
713 the Division of State Fire Marshal and a minimum of 376 ~~250~~
714 hours of wildfire training;

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

720 (g) Provide fire management services and emergency response
721 assistance and set and charge reasonable fees for performance of
722 those services. Moneys collected from such fees shall be
723 deposited into the Incidental Trust Fund of the Florida Forest
724 Service;

725 (h) Require all state, regional, and local government

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726 agencies operating aircraft in the vicinity of an ongoing
727 wildfire to operate in compliance with the applicable state
728 Wildfire Aviation Plan;

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

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

733 Section 18. Subsection (16) is added to section 595.404,
734 Florida Statutes, to read:

735 595.404 School food and other nutrition programs; powers
736 and duties of the department.—The department has the following
737 powers and duties:

738 (16) To adopt and implement an exemption, variance, and
739 waiver process by rule, as required by federal regulations, for
740 sponsors under the programs implemented pursuant to this
741 chapter, notwithstanding s. 120.542.

742 Section 19. Subsection (8) of section 633.408, Florida
743 Statutes, is amended to read:

744 633.408 Firefighter and volunteer firefighter training and
745 certification.—

746 (8) (a) Pursuant to s. 590.02(1)(e), the division shall
747 establish a structural fire training program of not less than 40
748 ~~206~~ hours. The division shall issue to a person satisfactorily
749 complying with this training program and who has successfully
750 passed an examination as prescribed by the division and who has
751 met the requirements of s. 590.02(1)(e), a Wildland Firefighter
752 ~~Forestry~~ Certificate of Compliance.

753 (b) An individual who holds a current and valid Forestry or
754 Wildland Firefighter Certificate of Compliance is entitled to

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

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 755 the same rights, privileges, and benefits provided for by law as
 756 a firefighter.

757 Section 20. For the purpose of incorporating the amendment
 758 made by this act to section 500.033, Florida Statutes, in a
 759 reference thereto, paragraph (a) of subsection (4) of section
 760 373.016, Florida Statutes, is reenacted to read:

761 373.016 Declaration of policy.—

762 (4) (a) Because water constitutes a public resource
 763 benefiting the entire state, it is the policy of the Legislature
 764 that the waters in the state be managed on a state and regional
 765 basis. Consistent with this directive, the Legislature
 766 recognizes the need to allocate water throughout the state so as
 767 to meet all reasonable-beneficial uses. However, the Legislature
 768 acknowledges that such allocations have in the past adversely
 769 affected the water resources of certain areas in this state. To
 770 protect such water resources and to meet the current and future
 771 needs of those areas with abundant water, the Legislature
 772 directs the department and the water management districts to
 773 encourage the use of water from sources nearest the area of use
 774 or application whenever practicable. Such sources shall include
 775 all naturally occurring water sources and all alternative water
 776 sources, including, but not limited to, desalination,
 777 conservation, reuse of nonpotable reclaimed water and
 778 stormwater, and aquifer storage and recovery. Reuse of potable
 779 reclaimed water and stormwater shall not be subject to the
 780 evaluation described in s. 373.223(3) (a)-(g). However, this
 781 directive to encourage the use of water, whenever practicable,
 782 from sources nearest the area of use or application shall not
 783 apply to the transport and direct and indirect use of water

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 784 within the area encompassed by the Central and Southern Florida
 785 Flood Control Project, nor shall it apply anywhere in the state
 786 to the transport and use of water supplied exclusively for
 787 bottled water as defined in s. 500.03(1) (d), nor shall it apply
 788 to the transport and use of reclaimed water for electrical power
 789 production by an electric utility as defined in s. 366.02(2).

790 Section 21. For the purpose of incorporating the amendment
 791 made by this act to section 500.033, Florida Statutes, in a
 792 reference thereto, subsection (3) of section 373.223, Florida
 793 Statutes, is reenacted to read:

794 373.223 Conditions for a permit.—

795 (3) Except for the transport and use of water supplied by
 796 the Central and Southern Florida Flood Control Project, and
 797 anywhere in the state when the transport and use of water is
 798 supplied exclusively for bottled water as defined in s.
 799 500.03(1) (d), any water use permit applications pending as of
 800 April 1, 1998, with the Northwest Florida Water Management
 801 District and self-suppliers of water for which the proposed
 802 water source and area of use or application are located on
 803 contiguous private properties, when evaluating whether a
 804 potential transport and use of ground or surface water across
 805 county boundaries is consistent with the public interest,
 806 pursuant to paragraph (1) (c), the governing board or department
 807 shall consider:

808 (a) The proximity of the proposed water source to the area
 809 of use or application.

810 (b) All impoundments, streams, groundwater sources, or
 811 watercourses that are geographically closer to the area of use
 812 or application than the proposed source, and that are

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813 technically and economically feasible for the proposed transport
814 and use.

815 (c) All economically and technically feasible alternatives
816 to the proposed source, including, but not limited to,
817 desalination, conservation, reuse of nonpotable reclaimed water
818 and stormwater, and aquifer storage and recovery.

819 (d) The potential environmental impacts that may result
820 from the transport and use of water from the proposed source,
821 and the potential environmental impacts that may result from use
822 of the other water sources identified in paragraphs (b) and (c).

823 (e) Whether existing and reasonably anticipated sources of
824 water and conservation efforts are adequate to supply water for
825 existing legal uses and reasonably anticipated future needs of
826 the water supply planning region in which the proposed water
827 source is located.

828 (f) Consultations with local governments affected by the
829 proposed transport and use.

830 (g) The value of the existing capital investment in water-
831 related infrastructure made by the applicant.

832
833 Where districtwide water supply assessments and regional water
834 supply plans have been prepared pursuant to ss. 373.036 and
835 373.709, the governing board or the department shall use the
836 applicable plans and assessments as the basis for its
837 consideration of the applicable factors in this subsection.

838 Section 22. For the purpose of incorporating the amendment
839 made by this act to section 500.033, Florida Statutes, in a
840 reference thereto, paragraph (a) of subsection (2) of section
841 373.701, Florida Statutes, is reenacted to read:

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842 373.701 Declaration of policy.—It is declared to be the
843 policy of the Legislature:

844 (2) (a) Because water constitutes a public resource
845 benefiting the entire state, it is the policy of the Legislature
846 that the waters in the state be managed on a state and regional
847 basis. Consistent with this directive, the Legislature
848 recognizes the need to allocate water throughout the state so as
849 to meet all reasonable-beneficial uses. However, the Legislature
850 acknowledges that such allocations have in the past adversely
851 affected the water resources of certain areas in this state. To
852 protect such water resources and to meet the current and future
853 needs of those areas with abundant water, the Legislature
854 directs the department and the water management districts to
855 encourage the use of water from sources nearest the area of use
856 or application whenever practicable. Such sources shall include
857 all naturally occurring water sources and all alternative water
858 sources, including, but not limited to, desalination,
859 conservation, reuse of nonpotable reclaimed water and
860 stormwater, and aquifer storage and recovery. Reuse of potable
861 reclaimed water and stormwater shall not be subject to the
862 evaluation described in s. 373.223(3) (a)-(g). However, this
863 directive to encourage the use of water, whenever practicable,
864 from sources nearest the area of use or application shall not
865 apply to the transport and direct and indirect use of water
866 within the area encompassed by the Central and Southern Florida
867 Flood Control Project, nor shall it apply anywhere in the state
868 to the transport and use of water supplied exclusively for
869 bottled water as defined in s. 500.03(1) (d), nor shall it apply
870 to the transport and use of reclaimed water for electrical power

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871 production by an electric utility as defined in s. 366.02(2).

872 Section 23. This act shall take effect July 1, 2020.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-11-20

Meeting Date

1514

Bill Number (if applicable)

334860

Amendment Barcode (if applicable)

Topic _____

Name Dale Calhoun

Job Title Executive Director

Address PO Box 11026

Street

Tallahassee FL 32302

City

State

Zip

Phone 850 6810496

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Natural Gas 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.

J

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/11/2020

Meeting Date

561514

Bill Number (if applicable)

334860

Amendment Barcode (if applicable)

Topic RENEWABLE ENERGY

Name KEYNA CORY

Job Title LOBBYIST

Address 730 E. PARK AVE

Phone 850 681 1065

Street

TALLAHASSEE FL 32301

City

State

Zip

Email keynacory@paconsultants.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing NATIONAL WASTE + RECYCLING ASSN - FL CHAPTER

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/11/2020

Meeting Date

1514

Bill Number (if applicable)

Topic Department of Agriculture and Consumer Services

Amendment Barcode (if applicable)

Name Carlos Nathan

Job Title Deputy Legislative Affairs Director

Address 400 S. Monroe Streett

Phone 850-617-7700

Street

Tallahassee

FL

32399

Email carlos.nathan@fdacs.gov

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Department of Agriculture and Consumer Services

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

2/11/20

Meeting Date

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

1514 ✓

Bill Number (if applicable)

334860

Amendment Barcode (if applicable)

Topic Department of Ag

Name Adam Basford

Job Title Director of Legislative Affairs

Address 310 W College Ave

Phone 222-2547

Street

Tallahassee

FL

32301

City

State

Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against

(The Chair will read this information into the record.)

Representing FL 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)

2/11/2020

Meeting Date

SB 1514

Bill Number (if applicable)

Topic RENEWABLE ENERGY

Amendment Barcode (if applicable)

Name KEYNA CORY

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Address 730 E. PARK AVE
Street

Phone 850 681 1065

TAWAHASSEE FL 32301
City State Zip

Email keynacory@pacconsultants.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing NATIONAL WASTE + RECYCLING ASSN - FL CHAPTER

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 (10/14/14)

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/CS/SB 1414

INTRODUCER: Agriculture Committee, Environment and Natural Resources Committee, and Senator Mayfield

SUBJECT: Fish and Wildlife Activities

DATE: February 12, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Rogers</u>	<u>Rogers</u>	<u>EN</u>	<u>Fav/CS</u>
2.	<u>Akhavein</u>	<u>Becker</u>	<u>AG</u>	<u>Fav/CS</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1414 broadens the prohibition on the harassment of hunters, trappers, or fishers to include harassment on any public lands, public waters, or publicly or privately owned wildlife management and fish management areas.

The bill expands the number of free fishing days from 4 to 6.

The bill adds tegus and iguanas to the conditional nonnative snakes and lizards list and tightens the restrictions on the list from applying to possession of these species for sale or personal use to prohibiting any use except for educational, research, or eradication or control purposes.

II. Present Situation:

Penalties for Violations Pertaining to Fish and Wildlife

Under Art. IV, s. 9 of the Florida Constitution, the Fish and Wildlife Conservation Commission (FWC) is granted the authority to exercise the regulatory and executive powers of the state with respect to wild animal life, fresh water aquatic life, and marine life. The Legislature may enact laws that aid FWC in its exercise of regulatory functions and executive powers in the areas of planning, budgeting, personnel management, and purchasing.¹

¹ FLA. CONST. art. IV, s. 9.

Section 379.401, F.S., details FWC’s four-tier system for penalties and violations, civil penalties for noncriminal infractions, criminal penalties, and suspension and forfeiture of licenses and permits. Level One violations are considered the least serious while Level Four violations the most serious.

The penalties for Level Two violations are as follows:

Level Two Violation	Type of Infraction	Civil Penalty or Jail Time	License Restrictions
First offense	2 nd Degree Misdemeanor ²	Max: \$500 or Max: 60 days	None
Second offense within three years of previous Level Two violation (or higher)	1 st Degree Misdemeanor ³	Min: \$250; Max: \$1,000 Max: one year	None
Third offense within five years of two previous Level Two violations (or higher)	1 st Degree Misdemeanor ⁴	Min: \$500; Max: \$1,000 Max: one year	Suspension of license for one year
Fourth offense within 10 years of three previous Level Two violations (or higher)	1 st Degree Misdemeanor ⁵	Min: \$750; Max \$1,000 or Max: one year	Suspension of license for three years

Right to Hunt or Fish

The Legislature recognizes that hunting, fishing, and the taking of game are a valued part of the cultural heritage of Florida and should be forever preserved for Floridians.⁶ The Legislature further recognizes that these activities play an important part in the state’s economy and in the conservation, preservation, and management of the state’s natural areas and resources. Therefore, the Legislature intends that the citizens of Florida have a right to hunt, fish, and take game, subject to the regulations and restrictions prescribed by general law and by the FWC.⁷

Fees for Freshwater or Saltwater Fishing Licenses

The law and FWC rules prohibit the taking of game, freshwater or saltwater fish, or fur-bearing animals within this state without having first obtained a license, permit, or authorization number and paid the associated fees.⁸ The following lists are freshwater and saltwater fees for fishing licenses set out in statute, though there can be additional fees for specialized permits.

For residents:

- An annual freshwater or saltwater fishing license costs \$15.50.⁹
- A 5-year freshwater or saltwater fishing license costs \$77.50.¹⁰

² Section 379.401(2)(b)1., F.S.

³ Section 379.401(2)(b)2., F.S.

⁴ Section 379.401(2)(b)3., F.S.

⁵ Section 379.401(2)(b)4., F.S.

⁶ Section 379.104, F.S.

⁷ *Id.*

⁸ Section 379.354(1), F.S.

⁹ Section 379.354(4), F.S.

¹⁰ Section 379.354(9), F.S.

- A lifetime freshwater or saltwater fishing license costs:¹¹
 - \$125 for persons 4 years of age or younger.
 - \$225 for persons 5 years of age or older but under 13 years of age.
 - \$300 for persons 13 years of age or older.

For nonresidents:

- A freshwater or saltwater fishing license for 3 consecutive days costs \$15.50.
- A freshwater or saltwater fishing license for 7 consecutive days costs \$28.50.
- An annual freshwater or saltwater fishing license costs \$45.50.¹²

FWC also charges \$1.50 for the cost of issuing the permit.¹³ Exemptions from the fishing license requirement exist for those under the age of 16 or over the age of 65.¹⁴

Free Fishing Days

Florida law expressly authorizes FWC to designate by rule no more than 4 days a year as free freshwater fishing days and no more than 4 days year as free saltwater fishing days.¹⁵ This means people can fish without a license or permit on those days. A person who takes freshwater or saltwater fish on a free fishing day must comply with all laws, rules, and regulations governing the holders of a fishing license or permit and all other conditions and limitations regulating the taking of freshwater or saltwater fish as are imposed by law or rule.¹⁶

Harassment of Hunters, Trappers, or Fishers

Under s. 79.105, F.S., a person may not intentionally, within a publicly or privately owned wildlife management or fish management area or on any state-owned water body:

- Interfere with or attempt to prevent the lawful taking of fish, game, or nongame animals by another.
- Attempt to disturb fish, game, or nongame animals or attempt to affect their behavior with the intent to prevent their lawful taking by another.

Anyone in violation of this provision is guilty of a Level Two violation (see above).

Nonnative Species

FWC is responsible for the control and management of nonnative species.¹⁷ Nonnative species are animals living outside captivity and which are not historically present in the state.¹⁸ More than 500 fish and wildlife nonnative species have been documented in Florida.¹⁹ Not all

¹¹ Section 379.354(11), F.S.

¹² Section 379.354(5), F.S.

¹³ Section 379.352(5), F.S.

¹⁴ Section 379.353, F.S.

¹⁵ Section 379.354(15), F.S.; Fla. Admin. Code R. 68A-5.006 sets out “Free-Freshwater Fishing Day-Spring” as the first weekend in April, and “Free-Freshwater Fishing Day-Summer” as the second weekend in June, or such other period as may be specified by order of FWC; Fla. Admin. Code R. 68A-5.006 sets out “License-Free Saltwater Fishing Days” as the first weekend in June, the first Saturday in September, and the Saturday following Thanksgiving.

¹⁶ Section 379.354(15), F.S.

¹⁷ Fla. Admin. Code Ch. 68-5.

¹⁸ Fish and Wildlife Conservation Commission (FWC), *What is a nonnative species?*

<https://myfwc.com/wildlifehabitats/nonnatives/exotic-information/> (last visited February 6, 2020).

¹⁹ FWC, *Florida’s Exotic Fish and Wildlife*, <http://myfwc.com/wildlifehabitats/nonnatives/> (last visited on February 6, 020).

nonnative species pose a threat to Florida's ecology, but some nonnative species become invasive species by causing harm to native species, posing a threat to human health and safety, or causing economic damage.²⁰ To manage and minimize the impacts of nonnative species, it is unlawful to import for sale or use, or to release within the state, any species not native to Florida unless authorized by the FWC.²¹

Prohibited or Conditional Nonnative Snakes and Lizards

Prohibited species are nonnative species that pose a very high risk to native fish and wildlife, to the ecology of native wildlife communities, or to human safety. Possession of these species requires a permit from FWC and is generally limited to public exhibition and research.²²

Conditional species²³ are nonnative species that pose a risk to native fish and wildlife or to the ecology of native wildlife communities. Conditional nonnative snakes and lizards are not authorized to be acquired for personal possession.²⁴ Specifically, the following nonnative snakes and lizards are prohibited from being kept, possessed, or imported into the state, sold, bartered, traded, or bred for personal use or for sale for personal use:

- Burmese or Indian python;
- Reticulated python;
- Northern African python;
- Southern African python;
- Amethystine or scrub python;
- Green Anaconda;
- Nile Monitor; and
- Any other reptile designated as a conditional or prohibited species by FWC.²⁵

A reptile dealer, researcher, or public exhibitor providing educational exhibits may apply for a permit to import or possess conditional nonnative snakes and lizards.²⁶ Conditional nonnative snakes and lizards must be kept indoors or in outdoor enclosures with a fixed roof and must be permanently identified with a passive integrated transponder (PIT) tag, also known as a microchip.²⁷ Owners of such species must submit a Captive Wildlife Disaster and Critical Incident Plan to FWC and must maintain records of their inventory.²⁸

In 2018, the Legislature created s. 379.2311, F.S., which directed FWC to create a pilot program to mitigate the impact of priority invasive species on the public lands or waters of the state. The

²⁰ *Id.*

²¹ Section 379.231, F.S.

²² Section 379.372, F.S.; see Fla. Admin. Code R. 68-5.003 for a complete list of prohibited species.

²³ Statute uses the phrase "reptiles of concern," but FWC lists such species in its conditional species list. See FWC, *Reptiles of Concern*, <https://myfwc.com/license/captive-wildlife/reptiles-of-concern/> (last visited February 6, 2020); s. 379.372(b), F.S.

²⁴ FWC, *Conditional Snakes and Lizards*, <http://myfwc.com/wildlifehabitats/nonnatives/regulations/snakes-and-lizards/> (last visited February 6, 2020).

²⁵ Section 379.372(2)(a), F.S.

²⁶ Fla. Admin. Code R. 68-5.005(1); see FWC, *Conditional Snakes and Lizards*, <http://myfwc.com/wildlifehabitats/nonnatives/regulations/snakes-and-lizards/> (last visited February 6, 2020).

²⁷ Fla. Admin. Code R. 68-5.005(5).

²⁸ *Id.*

goal of the pilot program is to examine the benefits of using strategically deployed, trained private contractors to slow the advance of priority invasive species, contain their populations, and eradicate them from this state. As part of the program, FWC is authorized to enter into contracts to capture or destroy animals belonging to priority invasive species found on public lands, in the waters of this state, or on private lands or waters with the consent of the owner. All captures and disposals of animals that are priority invasive species must be documented and photographed and the geographic location of the take must be recorded for research purposes. FWC is required to submit a report of findings and recommendations regarding its implementation of the pilot program to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2021.

Priority invasive species are:

- Lizards of the genus *Tupinambis*, also known as tegu lizards;
- The conditional lizard and snake species listed above;
- *Pterois volitans*, also known as red lionfish; and
- *Pterois miles*, also known as the common lionfish or devil firefish.²⁹

Tegus

The Argentine Black and White Tegu (*Tupinambis meriana*), commonly referred to as a tegu, is a large species of lizard that can grow up to four feet in length and is native to South America.³⁰ Tegus are not innately aggressive but have sharp teeth, strong jaws, and sharp claws, which they will use to defend themselves if threatened.³¹ Tegus are an invasive species and have known breeding populations in Miami-Dade and Hillsborough counties³² and an emerging population in Charlotte County.³³ The tegu causes harm to native species by disturbing alligator nests and consuming their eggs, and utilizing gopher tortoise burrows and consuming juvenile gopher tortoises.³⁴

The tegu is not designated as a conditional or prohibited species.³⁵ However, a person must possess a license from FWC to sell a tegu or for public exhibition.³⁶ A November 2019 survey of all Class III license holders allowing for the sale of reptiles found 106 license holders listed that may sell tegus with more than 1,245 in inventory.³⁷ FWC developed a trapping removal program and works with other agencies and organizations to assess the tegu's threat and develop management strategies.³⁸ The goal of the program is to minimize the impact of tegus on native

²⁹ Section 379.2311, F.S.

³⁰ FWC, *Argentine black and white tegu*, <https://myfwc.com/wildlifehabitats/nonnatives/reptiles/whiptails-and-wall-lizards/tegu/> (last visited February 6, 2020).

³¹ *Id.*

³² *Id.*

³³ FWC, *Senate Bill 1414 Agency Bill Analysis*, 2 (Dec. 19, 2019) (on file with the Senate Agriculture Committee).

³⁴ FWC, *Argentine black and white tegu*, <https://myfwc.com/wildlifehabitats/nonnatives/reptiles/whiptails-and-wall-lizards/tegu/> (last visited February 6, 2020).

³⁵ *Id.*

³⁶ *Id.*; see s. 379.3761, F.S.

³⁷ FWC, *Senate Bill 1414 Agency Bill Analysis*, 2 (Dec. 19, 2019) (on file with the Senate Agriculture Committee).

³⁸ *Id.* (under Frequently Asked Questions).

wildlife and natural areas.³⁹ A limited number of commercial wildlife operators trap and remove tegus for homeowners or on other private lands.⁴⁰

Members of the public may also remove and kill tegus from 22 FWC managed public lands without a license or permit.⁴¹ Through these efforts, over 7,800 tegus have been reported to the Commission as removed from the wild or found dead in Florida by FWC staff, partners, and the public since 2012, primarily in Miami-Dade County.⁴²

Green Iguanas

Green iguanas (*Iguana iguana*) are large, typically green lizards, though they can sometimes be brown or almost black in color.⁴³ Some adults can take on an orange or pink coloration during certain times of the year. Male green iguanas can grow to over five feet in length and weigh up to 17 pounds. Females can also reach five feet in length but usually do not exceed seven pounds. Females typically reach reproductive maturity at two to four years of age. Green iguanas can live up to 10 years in the wild and 19 years in captivity. Green iguanas thrive in southern Florida and are not cold hardy.⁴⁴

Green iguanas are a nonnative, invasive species in Florida.⁴⁵ Green iguanas can live on the ground, in shrubs, or in trees in a variety of habitats including suburban developments, urban areas, small towns, and agricultural areas. They are excellent swimmers, tolerating both salt and freshwater and can submerge themselves for up to four hours at a time.⁴⁶

Green iguanas cause damage to residential and commercial landscape vegetation and are often considered a nuisance by property owners. Iguanas are attracted to trees with foliage or flowers, most fruits (except citrus) and almost any vegetable. Some green iguanas cause damage to infrastructure by digging burrows that erode and collapse sidewalks, foundations, seawalls, berms, and canal banks. Green iguanas may also leave droppings on docks, moored boats, seawalls, porches, decks, pool platforms, and inside swimming pools.

Green iguanas are not designated as conditional or prohibited species.⁴⁷ However, a person must possess a license from the FWC to sell a green iguana or for public exhibition.⁴⁸ A November 2019 survey of all Class III license holders allowing for the sale of reptiles found 382 license holders listed that may sell iguanas with more than 5,307 in inventory.⁴⁹

³⁹ *Id.*

⁴⁰ FWC, *Senate Bill 230 Agency Bill Analysis*, 2 (Feb. 17, 2017) (on file with the Senate Agriculture Committee).

⁴¹ FWC, EO 17-11 (Mar. 31, 2017), available at <https://myfwc.com/media/3682/eo-17-11.pdf> (last visited February 6, 2020).

⁴² FWC, *Senate Bill 1414 Agency Bill Analysis*, 2 (Dec. 19, 2019) (on file with the Senate Agriculture Committee).

⁴³ FWC, *Invasive Green Iguana*, <https://myfwc.com/wildlifehabitats/profiles/reptiles/green-iguana/> (last visited February 6, 2020).

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*; see s. 379.3761, F.S.

⁴⁹ FWC, *Senate Bill 1414 Agency Bill Analysis*, 3 (Dec. 19, 2019) (on file with the Senate Agriculture Committee).

The FWC encourages removal of green iguanas from private properties by landowners. Members of the public may also remove and kill iguanas from 22 FWC managed public lands without a license or permit.⁵⁰ The FWC hosts Iguana Technical Assistance Public Workshops to help empower homeowners to manage this nonnative species on their own property with legal trapping and removal options.⁵¹ In 2018, FWC initiated removal efforts on public conservation lands, resulting in nearly 5,000 iguanas being removed.⁵²

III. Effect of Proposed Changes:

Section 1 amends s. 379.105, F.S., relating to harassment of hunters, trappers, or fishers. The bill revises existing language to protect hunters, trappers, or fishers from harassment within or on any public lands, publicly or privately owned wildlife management areas or fish management areas, or public waters. The bill increases areas upon which hunters, trappers, or fishers are protected from harassment by expanding the protection to all public lands and all public waters (from wildlife management or fish management areas or a state-owned water body).

Section 2 amends s. 379.354, F.S., to increase the free saltwater and freshwater fishing days from 4 to 6.

Section 3 amends s. 379.372, F.S., to state that no person, party, firm, association, or corporation may keep, possess, import into the state, sell, barter, trade, or breed the following species except for educational, research, or eradication or control purposes:

- Burmese or Indian python (*Python molurus*).
- Reticulated python (*Python reticulatus*).
- Northern African python (*Python sebae*).
- Southern African python (*Python natalensis*).
- Amethystine or scrub python (*Morelia amethystinus*).
- Green Anaconda (*Eunectes murinus*).
- Nile monitor (*Varanus niloticus*).
- Green iguana (*Iguana iguana*).
- Tegu Lizard (any species of the genera *Salvator* or *Tupinambis*).
- Any other reptile designated as a conditional or prohibited species by FWC.

This adds the green iguana and the tegu lizard to the list of species that cannot be kept or sold for personal use. It also makes the prohibition stricter by changing it from prohibiting these species for being “kept or sold for personal use” to prohibiting anyone from possessing them “except for educational or research purposes.”

Section 4 provides an effective date of July 1, 2020.

⁵⁰ FWC, EO 17-11 (Mar. 31, 2017), available at <https://myfwc.com/media/3682/eo-17-11.pdf> (last visited February 6, 2020).

⁵¹ FWC, *Nonnative Species Public Workshops*, <https://myfwc.com/wildlifehabitats/nonnatives/public-workshops/> (last visited February 6, 2020).

⁵² FWC, *Senate Bill 1414 Agency Bill Analysis*, 2 (Dec. 19, 2019) (on file with the Senate Agriculture Committee).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

There may be a negative fiscal impact to commercial owners of tegus and iguana who are no longer able to sell the species under the bill.

C. Government Sector Impact:

There may be a negative fiscal impact to the state for additional free fishing days, but it is likely negligible.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This committee substitute substantially amends the following sections of the Florida Statutes: 379.105, 379.354, and 379.372.

This committee substitute reenacts s. 379.2311(1) of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environment and Natural Resources on February 3, 2020:

The prohibition on tegus is expanded to include any species of the genera *Salvator* or *Tupinambis*.

CS by Agriculture Committee on February 11, 2020:

The exceptions to keeping, possessing, importing into the state, selling, bartering, trading, or breeding specified nonnative snakes and lizards has been expanded to include eradication or control purposes, as well as for educational and research.

- B. **Amendments:**

None.



217774

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/11/2020	.	
	.	
	.	
	.	

The Committee on Agriculture (Mayfield) recommended the following:

Senate Amendment (with title amendment)

Delete line 65
and insert:
educational, research, or eradication or control purposes
~~personal use or for sale for~~

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

And the title is amended as follows:

Delete line 13



11 and insert:
12 except for educational, research, or eradication or
13 control purposes; including

By the Committee on Environment and Natural Resources; and
Senator Mayfield

592-03062-20

20201414c1

1 A bill to be entitled
2 An act relating to fish and wildlife activities;
3 amending s. 379.105, F.S.; prohibiting certain
4 harassment of hunters, trappers, and fishers within or
5 on public lands or publicly or privately owned
6 wildlife and fish management areas, or in or on public
7 waters; amending s. 379.354, F.S.; authorizing the
8 Fish and Wildlife Conservation Commission to designate
9 additional annual free freshwater and saltwater
10 fishing days; amending s. 379.372, F.S.; prohibiting
11 the keeping, possessing, importing, selling,
12 bartering, trading, or breeding of certain species
13 except for educational or research purposes; including
14 green iguanas and species of the genera *Salvator* and
15 *Tupinambis* in such prohibition; reenacting s.
16 379.2311(1), F.S., relating to the definition of the
17 term "priority invasive species," to incorporate the
18 amendment made to s. 379.372, F.S., in a reference
19 thereto; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Subsection (1) of section 379.105, Florida
24 Statutes, is amended to read:

25 379.105 Harassment of hunters, trappers, or fishers.—

26 (1) A person may not intentionally, within or on any public
27 lands or a publicly or privately owned wildlife management and
28 or fish management areas, area or in or on any public waters
29 state-owned water body:

Page 1 of 4

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

592-03062-20

20201414c1

30 (a) Interfere with or attempt to prevent the lawful taking
31 of fish, game, or nongame animals by another within or on such
32 lands or areas, or in or on such waters.

33 (b) Attempt to disturb fish, game, or nongame animals or
34 attempt to affect their behavior with the intent to prevent
35 their lawful taking by another within or on such lands or areas,
36 or in or on such waters.

37 Section 2. Subsection (15) of section 379.354, Florida
38 Statutes, is amended to read:

39 379.354 Recreational licenses, permits, and authorization
40 numbers; fees established.—

41 (15) FREE FISHING DAYS.—The commission may designate by
42 rule no more than 6 4 consecutive or nonconsecutive days in each
43 year as free freshwater fishing days and no more than 6 4
44 consecutive or nonconsecutive days in each year as free
45 saltwater fishing days. Notwithstanding any other provision of
46 this chapter, a ~~any~~ person may take freshwater fish for
47 noncommercial purposes on a free freshwater fishing day and may
48 take saltwater fish for noncommercial purposes on a free
49 saltwater fishing day, without obtaining or possessing a license
50 or permit or paying a license or permit fee as set forth
51 ~~prescribed~~ in this section. A person who takes freshwater or
52 saltwater fish on a free fishing day must comply with all laws,
53 rules, and regulations governing the holders of a fishing
54 license or permit and all other conditions and limitations
55 regulating the taking of freshwater or saltwater fish as are
56 imposed by law or rule.

57 Section 3. Paragraph (a) of subsection (2) of section
58 379.372, Florida Statutes, is amended to read:

Page 2 of 4

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

592-03062-20

20201414c1

59 379.372 Capturing, keeping, possessing, transporting, or
60 exhibiting venomous reptiles, reptiles of concern, conditional
61 reptiles, or prohibited reptiles; license required.—

62 (2) (a) ~~A No~~ person, party, firm, association, or
63 corporation ~~may not shall~~ keep, possess, import into the state,
64 sell, barter, trade, or breed the following species except for
65 educational or research purposes ~~personal use or for sale for~~
66 ~~personal use~~:

- 67 1. Burmese or Indian python (*Python molurus*).
- 68 2. Reticulated python (*Python reticulatus*).
- 69 3. Northern African python (*Python sebae*).
- 70 4. Southern African python (*Python natalensis*).
- 71 5. Amethystine or scrub python (*Morelia amethystinus*).
- 72 6. Green Anaconda (*Eunectes murinus*).
- 73 7. Nile monitor (*Varanus niloticus*).
- 74 8. Green iguana (*Iguana iguana*).
- 75 9. Tegu lizard (any species of the genera *Salvator* or
76 *Tupinambis*).
- 77 10. Any other reptile designated as a conditional or
78 prohibited species by the commission.

79 Section 4. For the purpose of incorporating the amendment
80 made by this act to section 379.372, Florida Statutes, in a
81 reference thereto, subsection (1) of section 379.2311, Florida
82 Statutes, is reenacted to read:

83 379.2311 Nonnative animal management.—

84 (1) As used in this section, the term “priority invasive
85 species” means the following:

- 86 (a) Lizards of the genus *Tupinambis*, also known as tegu
87 lizards;

592-03062-20

20201414c1

88 (b) Species identified in s. 379.372(2) (a);

89 (c) *Pterois volitans*, also known as red lionfish; and

90 (d) *Pterois miles*, also known as the common lionfish or
91 devil firefish.

92 Section 5. This act shall take effect July 1, 2020.

THE FLORIDA SENATE

APPEARANCE RECORD



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

2/11

Meeting Date

1414

Bill Number (if applicable)

217774

Amendment Barcode (if applicable)

Topic Fish & Wildlife Activities

Name Jessica Crawford

Job Title Legislative Affairs Director

Address 620 S. Meridian St.

Street

Phone 850-487-3795

Tallahassee

FL

32397

City

State

Zip

Email Jessica.Crawford@myfwc.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Fish & Wildlife Conservation Commission

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
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2/11

Meeting Date

1414

Bill Number (if applicable)

Topic Fish & Wildlife Activities

Amendment Barcode (if applicable)

Name Kipp Frohlich

Job Title Director for the Division of Habitat Species & Conservation

Address 620 S. Meridian St.
Street

Phone 850 528-8157

Tallahassee FL 32399
City State Zip

Email Kipp.Frohlich@myfwc.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Fish & Wildlife Conservation Commission

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
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2/11/20

Meeting Date

SB1414

Bill Number (if applicable)

Topic Non-native reptiles

Amendment Barcode (if applicable)

Name Phil Boss

Job Title President

Address 2271 Rock Road

Phone 317-431-3246

Street

Naples

City

FL

State

34120

Zip

Email President@usark.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing U.S. Association of Reptile Keepers

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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Meeting Date _____

Bill Number (if applicable) _____

Topic SP1414

Amendment Barcode (if applicable) _____

Name Elizabeth Wisneski

Job Title MOM / business owner

Address 4525 S. Florida Ave

Phone 803-581-6757

Lakeland FL 33813
City State Zip

Email fmace.lizabeth@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Board member USARKFL and owner of

Appearing at request of Chair: Yes No

Family Reptiles
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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APPEARANCE RECORD

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2/11/20

Meeting Date

SB 1414

Bill Number (if applicable)

Topic Conditional Species - Ban

Amendment Barcode (if applicable)

Name Michael Van Whistened

Job Title owner / STRICTLY REPTILES, INC

Address 6450 Stirling Rd.

Phone 954 868 0661

Hollywood FL 33024
City State Zip

Email SREPTILSMIKE@AOL.COM

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing US ARK ENKIDA / STRICTLY REPTILES

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

Feb 11, 20

Meeting Date

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

SB 1414

Bill Number (if applicable)

Topic Concerned Reptiles to Ban

Amendment Barcode (if applicable)

Name ~~Strictly Reptiles Inc~~ Joanne Brodsky

Job Title Office Manager

Address 6450 Stirling Rd

Phone 954 967-8310

Street

Hollywood FL 33024

City

State

Zip

Email reptiles.jeanne@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Strictly Reptiles Inc / US ARK FL

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)

2/11/2020
Meeting Date

SB 1414
Bill Number (if applicable)

Topic Save Reptile Businesses

Amendment Barcode (if applicable)

Name Rina Gittman

Job Title Pres Underground Reptiles

Address 8850 NW 172nd St

Phone 954 980 0252

Parthad FL 33067
City State Zip

Email R.Gitt@outlook.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Underground Reptiles

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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THE FLORIDA SENATE

APPEARANCE RECORD



2/11/20

Meeting Date

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

SB1414

Bill Number (if applicable)

Topic Save Reptile Business

Amendment Barcode (if applicable)

Name Austin Harris

Job Title GM Underground Reptiles

Address 8850 NW 72nd St

Phone 954-937-7583

Street

Parkland

City

FL

State

33067

Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Underground Reptiles

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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2/11/20

Meeting Date

SB 1414

Bill Number (if applicable)

Topic SB 1414

Amendment Barcode (if applicable)

Name MARK BELL

Job Title PRESIDENT

Address 2271 ROCK RD. Street

Phone 239 290-7180

NAPLES FL 34120 City State Zip

Email MBELL343@AOL.COM

Speaking: [] For [] Against [] Information

Waive Speaking: [] In Support [X] Against (The Chair will read this information into the record.)

Representing REPTILE INDUSTRIES INC

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] No

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Meeting Date _____

SB1414
Bill Number (if applicable)

Topic SB1414

Amendment Barcode (if applicable) _____

Name JOHN SEYJAGAT

Job Title EXECUTIVE DIRECTOR

Address 14601 NW 122 TERRACE
Street

Phone 443 392 5897

AZALEA FL 32615
City State Zip

Email john@zoo.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing ZOOLOGICAL ASSOCIATION OF AMERICA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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APPEARANCE RECORD

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2/11/20

Meeting Date

S 1414

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Lane Stephens

Job Title _____

Address 111 N. Calhoun St, Ste 6

Phone _____

Street

Tall

City

FL

State

32301

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FL Doghunters & Sportsman's Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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THE FLORIDA SENATE

APPEARANCE RECORD

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2/11/2020
Meeting Date

SB144 ✓
Bill Number (if applicable)

Topic SB1414 - Reptiles

Amendment Barcode (if applicable)

Name Michael Barrera

Job Title Owner

Address 8735 SW 72 ST
Street

Phone 7864498930

Miami, FL 33173
City State Zip

Email albinoturtles@comcast.net

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Snakes at Sunset - USARK FL

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)

9/11/20
Meeting Date

Bill Number (if applicable)

Topic SP 1414

Amendment Barcode (if applicable)

Name Kiersa Johnson

Job Title

Address 7010 Camellia Rd.
Street

Phone

Lakeland FL 33913
City State Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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9/11/20
Meeting Date

Bill Number (if applicable)

Topic SP 1414

Amendment Barcode (if applicable)

Name Tiana Johnson

Job Title breeder

Address 7010 camellia Rd.
Street

Phone _____

Lakeland FL 33813
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

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.

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02/11/2020

Meeting Date

SB 1414

Bill Number (if applicable)

Topic Conditional Species

Amendment Barcode (if applicable)

Name Robert D. Beaulieu

Job Title Owner

Address 548 S Duncan Dr

Phone 352 434 5252

Street

Tavares

City

FL

State

32778

Zip

Email Colossal Reptiles LLC@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Colossal Reptiles + CSP Holders

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/11/20

Meeting Date

SB1414

Bill Number (if applicable)

Topic Conditional sp

Amendment Barcode (if applicable)

Name Ashley Hirbo

Job Title small buisness owner

Address 2755 Tebn Trl

Phone 9043077866

Street

Tallahassee

City

FL

State

32303

Zip

Email ashleyirelandh@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing CSP holders

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD



2-11-2020

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

SB 1414

Meeting Date

Bill Number (if applicable)

Topic Prohibition of Conditional Species of Reptiles

Amendment Barcode (if applicable)

Name Michael Cole

Job Title Owner / Director / Board member

Address 21 Ceyer Road

Phone 863-439-3015

Street

Haines City

FL

33844

City

State

Zip

Email Ballroom@tampabay.fl.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Wildlife Exploration Foundation / Ballroom Pythias South / USARK 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.

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S-001 (10/14/14)

CourtSmart Tag Report

Room: SB 301

Case No.:

Type:

Caption: Senate Agriculture Committee Judge:

Started: 2/11/2020 10:04:11 AM

Ends: 2/11/2020 11:10:32 AM

Length: 01:06:22

10:04:09 AM Chair Albritton called meeting to order
10:04:16 AM Laureen call roll
10:04:29 AM Chair Albritton advised Senator Rader is excused
10:04:36 AM Stand for pledge
10:04:58 AM Chair Albritton speaking
10:05:03 AM Chair Albritton states we will start with Tab 2 CS for SB 1414
10:05:30 AM Senator Mayfield is recognized to explain the bill
10:05:40 AM Senator Mayfield is explaining CS for SB 1414
10:06:38 AM Chair Albritton states we will take up late filed amendment bar code 217774
10:07:16 AM Senator Mayfield is explaining the amendment
10:07:32 AM Chair Albritton ask if there are any questions on the amendment
10:07:38 AM Chair Albritton ask if there is any public testimony on the amendment
10:07:42 AM Jessica Crawford Leg. Affairs Director Florida Fish Wildlife Conservation Commission
10:07:51 AM Chair Albritton show the amendment adopted
10:07:58 AM Chair Albritton states we are back on the bill as amended
10:08:03 AM Chair Albritton says we will now go to appearance cards
10:08:08 AM Michael Cole of Wildlife Exploration Foundation is speaking
10:10:39 AM Senator Gainer has a question for Mr. Cole
10:10:52 AM Mr. Cole answers
10:13:03 AM Chair Albritton is speaking
10:13:30 AM Senator Gainer with question
10:14:28 AM Mr. Cole answers
10:15:27 AM Chair Albritton thanks him
10:15:37 AM Ashley Hirko CSP Holders waives in opposition
10:15:46 AM Robert Beaulieu of Colossal Reptiles is called
10:15:55 AM Robert Beaulieu is speaking against
10:17:44 AM Chair Albritton thanks him
10:17:56 AM Tiana Johnson Breeder from Lakeland is speaking against bill/ L\Kiersa Johnson Lakeland against
10:18:54 AM Jessica Crawford of Fish & Wildlife waives in support of the bill
10:19:26 AM Michael Barrera Owner of Snakes at Sunset Miami is speaking against
10:22:22 AM Lane Stephens FL Doghunters & Sportsman's Association waives in support /John Seyjagat of Zoological Association of America is speaking against
10:23:49 AM Chair Albritton is speaking / Mark Belk Reptiles Industries, Inc. Naples FL waives against
10:24:07 AM Austin Harris of Underground Reptiles Parkland FL is speaking against
10:26:40 AM Senator Broxson has a question ques
10:26:56 AM Mr. Harris answers
10:28:58 AM Senator Broxson with statement
10:30:15 AM Mr. Harris replys
10:31:28 AM Senator Broxson with question
10:31:59 AM Mr. Harris answers
10:32:42 AM Senator Gainer with a question
10:32:53 AM Mr. Harris answers
10:33:20 AM Chair Albritton calls Rian Gittman President of Underground Reptiles Parkland FL
10:33:37 AM Mr. Gittman is speaking against
10:38:43 AM Chair Albritton calls Jeanne Beodsky Hollywood FL of Strictly Reptiles Inc. US ARK FL
10:39:15 AM Ms. Beodsky is speaking against
10:40:35 AM Senator Broxson with a question
10:40:55 AM Ms. Beodsky answers
10:41:14 AM Senator Broxson with a follow up
10:41:20 AM Ms. Beodsky answers
10:41:37 AM Senator Broxson with a comment
10:41:45 AM Ms. Beodsky replies

10:42:54 AM Chair Albritton thanks her and calls Michael Van Westrand
10:43:55 AM Michael owner Strictly Reptiles, Inc. Hollywood FL is speaking against
10:51:33 AM Chair Albritton thanks him
10:51:39 AM Elizabeth Wisneski Board member USARKFL and owner of Family Reptiles speaking against
10:54:53 AM Chair Albritton calls Phil Goss President US Association of Reptile Keepers
10:55:05 AM Ms. Goss is speaking against
10:58:10 AM Senator Gainer has a question
10:58:25 AM Mr. Goss answers
10:58:33 AM Senator Gainer with question
10:58:39 AM Mr. Goss answers
10:59:28 AM Senator Montford with question
11:00:59 AM Mr. Goss answers
11:01:16 AM Kipp Frohlich of Fish & Wildlife Conservation Commission waives in support
11:01:25 AM Chair Albritton ask if there is any questions
11:01:48 AM Chair Albritton ask if there is any debate
11:01:50 AM Senator Broxson with debate
11:02:15 AM Senator Mayfield is recognized to close
11:02:28 AM Senator Mayfield closing on bill
11:03:43 AM Senator Gainer has a question
11:03:56 AM Senator Mayfield answers
11:04:43 AM Chair Albritton ask Laureen to call roll for vote on CS for SB 1414
11:04:58 AM Chair Albritton says to show CS for SB 1414 reported favorably
11:05:07 AM Chair Albritton is handing over to Vice Chair Gainer
11:05:24 AM Vice-Chair Gainer is speaking
11:05:48 AM Vice-Chair Gainer state we are taking up SB 1514
11:05:58 AM Senator Albritton is explaining the amendment barcode 334860
11:07:02 AM Vice-Chair Gainer ask if there are any questions, no questions any debate
11:07:08 AM Vice-Chair Gainer ask if there are any appearance forms on the amendment
11:07:27 AM Dale Calhoun of Florida Natural Gas Association TLH waives in support
11:07:41 AM Kenya Cory of National Waste & Recycling Assn TLH waives in support
11:07:59 AM Senator Albritton waives close on amendment
11:08:05 AM Vice-Chair Gainer states to show amendment barcode 334860 adopted
11:08:10 AM Vice-Chair Gainer ask if there are any questions on the bill
11:08:16 AM Vice-Chair Gainer ask if there are any appearance cards on the bill
11:08:25 AM Carlos Nathan of Dept of Ag and Consumer Services waive in support
11:08:40 AM Keyna Cory of National Waste & Recycling Assn TLH waives in support
11:08:51 AM Adam Basford of FL Farm Bureau waives in support
11:09:01 AM Vice-Chair Gainer ask if there is any debate on the bill as amended
11:09:14 AM Vice-Chair Gainer says seeing no debate Senator Albritton, you are recognized to close on bill
11:09:33 AM Senator Albritton waives close
11:09:36 AM Vice-Chair Gainer advised Laureen to call roll
11:09:51 AM Vice-Chair Gainer states by your vote show SB 1514 reported favorably
11:10:02 AM Vice-Chair Gainer handed the meeting back over to Chair Albritton
11:10:08 AM Chair Albritton ask if there is any other business that needs to be brought up
11:10:20 AM Vice-Chair Gainer moves to adjourn the meeting. Meeting is adjourned.