

By Senator Thomas

3-1106B-99

1 A bill to be entitled
2 An act relating to the Department of
3 Agriculture and Consumer Services; amending s.
4 501.913, F.S., relating to the registration of
5 brands of antifreeze distributed in the state;
6 providing that the registrant assumes
7 responsibility for the product's quality;
8 amending s. 501.916, F.S.; revising
9 requirements for labeling antifreeze; amending
10 s. 501.919, F.S.; providing for notice to be
11 given to the violator of ss. 501.91-501.923,
12 F.S.; amending s. 501.922, F.S.; authorizing
13 the department to impose additional penalties;
14 repealing s. 531.54, F.S., relating to salaries
15 and expenses of enforcing ch. 531, F.S., the
16 Weights and Measures Act of 1971; amending s.
17 570.191, F.S., relating to the Agricultural
18 Emergency Eradication Trust Fund; providing for
19 funds to be used for other agricultural
20 interests; repealing s. 570.46(5), F.S.,
21 relating to duties of the Division of Standards
22 with respect to verifying certain testing
23 samples; amending s. 570.48, F.S.; authorizing
24 the Division of Fruit and Vegetables to certify
25 and supervise certain inspectors; repealing s.
26 570.952(5), F.S., relating to the Florida
27 Agriculture Center and Horse Park Authority;
28 amending s. 589.081, F.S.; revising
29 requirements for payments to counties within
30 the Withlacoochee State Forest and Goethe State
31 Forest by the Division of Forestry; amending s.

1 593.1141, F.S.; conforming a reference to the
2 Farm Service Agency for purposes of certain
3 agreements of the department; amending s.
4 616.05, F.S.; providing requirements for fair
5 associations in publishing proposed amendments
6 to a charter; amending s. 616.07, F.S.;
7 providing that property held in trust by a fair
8 association is exempt from special assessments;
9 amending s. 616.08, F.S.; clarifying provisions
10 authorizing a fair association to sell,
11 mortgage, or lease property; amending s.
12 616.13, F.S.; revising certain restrictions on
13 temporary amusement rides with respect to
14 location of operation; deleting a license tax
15 imposed on such rides; amending s. 616.15,
16 F.S.; providing additional requirements for
17 obtaining a permit to conduct a public fair or
18 exposition; requiring that the department give
19 preference to established fair associations in
20 issuing permits; amending s. 616.242, F.S.,
21 relating to safety standards for amusement
22 rides; revising requirements for the
23 application for a permit to operate a ride;
24 revising requirements for the department in
25 setting permit fees; requiring that certain
26 notices be posted at entrances to amusement
27 rides; prohibiting bungy catapulting or reverse
28 bungy jumping; amending s. 616.260, F.S.;
29 providing that the Florida State Fair Authority
30 is exempt from special assessments; providing
31 that certain special assessments are not due

1 from a fair association or state fair; amending
2 s. 823.14, F.S.; clarifying the definition of
3 the term "farm product" for purposes of the
4 Florida Right to Farm Act; creating the Pest
5 Exclusion Advisory Committee within the
6 department; providing for membership; providing
7 for governance of the committee; requiring that
8 the committee conduct certain evaluations and
9 studies; requiring a report to the Governor,
10 the Legislature, and the Commissioner of
11 Agriculture; providing an effective date.
12

13 Be It Enacted by the Legislature of the State of Florida:
14

15 Section 1. Subsection (1) of section 501.913, Florida
16 Statutes, is amended to read:

17 501.913 Registration.--

18 (1) Each brand of antifreeze to be distributed in this
19 state shall be registered with the department prior to
20 distribution. The person whose name appears on the label as
21 the manufacturer or packager shall make application to the
22 department on forms provided by the department no later than
23 July 1 of each year. The registrant assumes, by application to
24 register the brand, full responsibility for the quality and
25 quantity of the product sold, offered, or exposed for sale in
26 this state.

27 Section 2. Subsection (1) of section 501.916, Florida
28 Statutes, is amended to read:

29 501.916 Mislabeling of antifreeze.--Antifreeze shall
30 be deemed to be mislabeled:

31 (1) If it does not bear a label that ~~which~~ specifies:

1 (a) The brand of the product.

2 **(b)**~~(a)~~ The identity of the product.

3 **(c)**~~(b)~~ The name and address of the manufacturer,
4 packager, ~~or distributor, or registrant.~~

5 **(d)**~~(c)~~ The net quantity of contents (in terms of
6 liquid measure) separately and accurately in a uniform
7 location upon the principal display panel.

8 **(e)**~~(d)~~ A statement warning of any hazard of
9 substantial injury to human beings which may result from the
10 intended use or reasonably foreseeable misuse of the
11 antifreeze.

12 **(f)**~~(e)~~ The primary chemical component functioning as
13 the antifreeze agent.

14 **(g)**~~(f)~~ The appropriate amount, percentage, proportion,
15 or concentration of the antifreeze to be used to provide
16 claimed protection from freezing at a specified degree or
17 degrees of temperature, claimed protection from corrosion, or
18 claimed increase of boiling point or protection from
19 overheating.

20 Section 3. Subsection (3) of section 501.919, Florida
21 Statutes, is amended to read:

22 501.919 Enforcement; stop-sale order.--

23 (3) Sections 501.91-501.923 do not ~~Nothing in this act~~
24 ~~shall be construed to~~ require the department to report for
25 prosecution or for institution of libel proceedings any minor
26 violations of ss. 501.91-501.923 ~~the act~~ whenever it believes
27 that the public interest will be best served by a suitable
28 notice of warning in writing to the violator ~~registrant or the~~
29 ~~person whose name and address appears on the label.~~

30 Section 4. Section 501.922, Florida Statutes, is
31 amended to read:

1 501.922 Violation.--

2 (1) The department may enter an order imposing one or
3 more of the following penalties against any person who
4 violates ss. 501.91-501.923 or who impedes, obstructs, or
5 hinders the department in performing its duties under those
6 sections:

7 (a) Imposition of an administrative fine of not more
8 than \$1,000 per violation for a first-time offender. For a
9 second-time or repeat offender, or any person who willfully
10 and intentionally violates ss. 501.91-501.923, the
11 administrative fine may not exceed \$5,000 per violation.

12 (b) Revocation or suspension of any registration
13 issued by the department. Any period of suspension may not
14 exceed 1 year.

15 (2) If a registrant in violation of ss. 501.91-501.923
16 fails to pay a fine within 30 days after imposition of the
17 fine, the department may suspend all registrations issued to
18 the registrant by the department until the fine is paid.~~The~~
19 ~~registration with the department of any person who violates~~
20 ~~this act or fails to comply with any of the provisions of this~~
21 ~~act may be subject to suspension or revocation. Any~~
22 ~~suspension shall not exceed 1 year. In addition to any~~
23 ~~suspension or revocation, for each violation, the department~~
24 ~~may levy a fine which shall not exceed \$5,000 per violation.~~
25 ~~If the person in violation of ss. 501.91-501.923 fails to pay~~
26 ~~the fine within 30 days, then his or her registration may be~~
27 ~~suspended until such time as the fine is paid.~~

28 (3) All fines collected by the department shall be
29 deposited in the General Inspection Trust Fund.

30 Section 5. Section 531.54, Florida Statutes, is
31 repealed.

1 Section 6. Section 570.191, Florida Statutes, 1998
2 Supplement, is amended to read:

3 570.191 Agricultural Emergency Eradication Trust
4 Fund.--There is created in the office of the commissioner the
5 Agricultural Emergency Eradication Trust Fund. Funds in the
6 trust fund may be made available upon certification by the
7 commissioner that an agricultural emergency exists and that
8 funds specifically appropriated for the emergency's purpose
9 are exhausted or insufficient to eliminate the agricultural
10 emergency. The term "agricultural emergency" means an animal
11 or plant disease, insect infestation, or plant or pest
12 endangering or threatening the horticultural, aquacultural, or
13 other ~~and~~ agricultural interests in this state.

14 Section 7. Subsection (5) of section 570.46, Florida
15 Statutes, as amended by section 3 of chapter 98-133, Laws of
16 Florida, is repealed.

17 Section 8. Subsection (7) is added to section 570.48,
18 Florida Statutes, to read:

19 570.48 Division of Fruit and Vegetables; powers and
20 duties; records.--The duties of the Division of Fruit and
21 Vegetables include, but are not limited to:

22 (7) Notwithstanding any other provision of law,
23 appointing, certifying, licensing, and supervising inspectors
24 whose duties are to inspect fruit and vegetables that are
25 regulated by state law, if federal law does not require such
26 inspectors to be licensed or certified by the federal
27 government.

28 Section 9. Subsection (5) of section 570.952, Florida
29 Statutes, as amended by section 7 of chapter 98-396, Laws of
30 Florida, is repealed.

31

1 Section 10. Section 589.081, Florida Statutes, is
2 amended to read:

3 589.081 Withlacoochee State Forest and Goethe State
4 Forest; payment to counties of portion of gross receipts.--The
5 Division of Forestry shall pay 15 percent of the gross
6 receipts from Withlacoochee State Forest and the Goethe State
7 Forest to each county in which a portion of the respective
8 forest is located ~~Hernando, Citrus, Sumter, Levy, and Pasco~~
9 ~~Counties~~ in proportion to the forest acreage located in each
10 county. The funds must be equally divided between the board
11 of county commissioners and the school board of each county.

12 Section 11. Section 593.1141, Florida Statutes, is
13 amended to read:

14 593.1141 Authority to enter agreements with the Farm
15 Service Agency ~~Agricultural Stabilization and Conservation~~
16 ~~Service~~.--The department is authorized to enter into
17 agreements with the Farm Service Agency, "FSA," ~~Agricultural~~
18 ~~Stabilization and Conservation Service, "ASCS,"~~ for the
19 purpose of allowing a cotton grower to tender payment of
20 assessments, including penalties, to the FSA ~~ASCS~~.

21 Section 12. Section 616.05, Florida Statutes, is
22 amended to read:

23 616.05 Amendment of charter.--Any fair association
24 desiring to propose an amendment of its charter may do so by
25 resolution as provided in its bylaws. The proposed amendment
26 shall be submitted to the department for approval. When
27 approved, the proposed amendment, upon publication of notice
28 in the same manner as provided in s. 616.03, placement on file
29 in the office of the clerk of the circuit court and in the
30 office of the department, the rendering of a decree of the
31 circuit judge approving and allowing the amendment, and being

1 recorded in the clerk's office, shall be incorporated into the
2 original charter.

3 Section 13. Subsection (1) of section 616.07, Florida
4 Statutes, is amended to read:

5 616.07 Members not personally liable; property of
6 association held in trust; exempt from taxation.--

7 (1) No member, officer, director, or trustee of a fair
8 association shall be personally liable for any of the debts of
9 the association; and no money or property of a fair
10 association shall be distributed as profits or dividends among
11 its members, officers, directors, or trustees, but all money
12 and property of the association shall, except for the payment
13 of its just debts and liabilities, be and remain perpetually
14 public property, administered by the association as trustee,
15 to be used exclusively for the legitimate purpose of the
16 association, and shall be, so long as so used, exempt from all
17 forms of taxation, including special assessments.

18 Section 14. Section 616.08, Florida Statutes, is
19 amended to read:

20 616.08 Additional powers of association.--Every fair
21 association shall have the power to hold, conduct, and operate
22 public fairs and expositions annually and for such purpose to
23 buy, lease, acquire, and occupy lands, erect buildings and
24 improvements of all kinds thereon, and develop those lands,
25 buildings, and improvements; to sell, mortgage, lease, or
26 convey any such property or any part thereof, in its
27 discretion, from time to time for the purpose of public fairs
28 or expositions; to charge and receive compensation for
29 admission to those fairs and expositions, for the sale or
30 renting of space for exhibitions, and for other privileges; to
31 conduct and hold public meetings; to supervise and conduct

1 lectures and all kinds of demonstration work in connection
2 with or for the improvement of agriculture, horticulture,
3 stockraising and poultry raising, and all kinds of farming and
4 matters connected therewith; to hold exhibits of agricultural
5 and horticultural products and livestock, chickens, and other
6 domestic animals; to give certificates or diplomas of
7 excellence; to promote the progress of the geographical area
8 it represents and serves and stimulate public interest in the
9 advantages and development of that area by providing
10 facilities for agricultural and industrial exhibitions, public
11 gatherings, cultural activities, and other functions which the
12 association determines will enhance the educational, physical,
13 economic, and cultural interests of the public; and generally
14 to do, perform, and carry out all matters, acts, and business
15 usual or proper in connection with public fairs and
16 expositions; but this enumeration of particular powers shall
17 not be in derogation of or limit any special provisions of the
18 charter of the association inserted for the regulation of its
19 business, and the conduct of its affairs of creating,
20 defining, limiting, and regulating the powers of the
21 association or its officers or members; provided, the
22 treasurer or similar officer of the association shall be
23 required to give a good and sufficient bond with a surety
24 company duly authorized under the laws of the state, payable
25 to the association and in an amount equal to the value of the
26 total amount of money and other property in that officer's
27 possession or custody, in addition to the value of any money
28 and property of the association that may reasonably be
29 expected to come into that officer's possession or custody.

30 Section 15. Section 616.13, Florida Statutes, 1998
31 Supplement, is amended to read:

1 616.13 Restrictions on temporary amusement rides
2 ~~licenses upon shows within 5 miles of fair.--A~~ Every person
3 may not engage ~~engaged~~ in the business of providing temporary
4 amusement rides, as defined in s. 616.242, within a 20-mile
5 radius ~~5 miles~~ of and within 30 days before or during any
6 public fair or exposition being operated by a fair
7 association, when not operating in connection with that fair
8 or exposition, except with the written consent of the affected
9 fair association ~~shall pay a license tax of \$1,000 per day.~~

10 Section 16. Subsections (1) and (3) of section 616.15,
11 Florida Statutes, are amended to read:

12 616.15 Permit from Department of Agriculture and
13 Consumer Services required.--

14 (1) No public fair or exposition may be conducted by a
15 fair association without a permit issued by the department.
16 The permit shall be issued in the following manner: The
17 association shall present to the department an application for
18 the permit, signed by an officer of the association, at least
19 3 months before holding the fair or exposition; this
20 application shall be accompanied by a fee in an amount to be
21 determined by the department not to exceed \$366 or be less
22 than \$183 for processing the application and making any
23 required investigation. The fees collected under this
24 subsection shall be deposited in the General Inspection Trust
25 Fund of the State Treasury in a special account to be known as
26 the "Agricultural and Livestock Fair Account." A copy of the
27 application must be sent to each fair association located
28 within 50 miles of the site of the proposed fair or exposition
29 at the same time the application is sent to the department.

30 The department may issue the permit with the advice and
31

1 counsel of the Agricultural and Livestock Fair Council,
2 provided the application sets forth:

3 (a) The opening and closing dates of the proposed fair
4 or exposition.

5 (b) The name and address of the owner of the central
6 amusement attraction to operate during the fair or exposition.

7 (c) An affidavit properly executed by the president or
8 other chief executive officer of the applicant association
9 certifying the existence of a binding contract entered into by
10 the association or exposition and the owner of the central
11 amusement attraction covering the period for which the permit
12 from the department is applied. The contract or contracts
13 between the parties shall be available for inspection by duly
14 authorized agents of the department in administering this
15 chapter.

16 (d) A statement that the main purpose of the
17 association is to conduct and operate the proposed fair or
18 exposition for the benefit and development of the educational,
19 agricultural, horticultural, livestock, charitable,
20 historical, civic, cultural, scientific, and other resources
21 of the geographical area the fair or exposition represents and
22 serves. The statement shall be in writing, shall be
23 subscribed, and shall be acknowledged by an officer of the
24 association before an officer authorized to take
25 acknowledgments.

26 (e) A premium list of the current fair or exposition
27 to be conducted or a copy of the previous year's premium list
28 showing all premiums and awards to be offered to exhibitors in
29 various departments of the fair, such as art exhibition, beef
30 cattle, county exhibits, dairy cattle, horticulture, swine,
31 women's department, 4-H Club activities, Future Farmers of

1 America activities, Future Homemakers of America activities,
2 poultry and egg exhibits, and community exhibits, the
3 foregoing being a list of the usual exhibitors of a fair and
4 not to be construed as limiting the premium list to these
5 departments. The list may be submitted separately at any time
6 not later than 60 days before the holding of the fair or
7 exposition, and the department shall issue the permit as
8 provided in this section within 10 days thereafter if the
9 applicant is properly qualified.

10 (f) Proof of liability insurance insuring the
11 association against liability for injury to persons, in an
12 amount of not less than \$300,000 per occurrence.

13 (g) A copy of the most recent review.

14 (h) A list of all current members of the board of
15 directors of the association and their home addresses.

16 (3) Notwithstanding any fair association meeting the
17 requirements set forth in subsection (1), the department may
18 order a full investigation to determine whether or not the
19 fair association meets in full the requirements of s. 616.01
20 and accordingly may withhold a permit from, deny a permit to,
21 or withdraw a permit once issued to the association. The
22 department shall also consider whether any proposed fair or
23 exposition, as set forth in an application for a permit, will
24 compete with another public fair or exposition within 50 miles
25 of the proposed fair or exposition with respect to name, dates
26 of operation, or market. The department may deny, withhold, or
27 withdraw a permit from a fair association if the department
28 determines that such fair association will compete with
29 another association. The department shall give preference to
30 existing fair associations with established dates, locations,
31 and names.The determination by the department shall be final.

1 Section 17. Subsections (5), (8), (10), (11), and (17)
2 of section 616.242, Florida Statutes, 1998 Supplement, are
3 amended to read:

4 616.242 Safety standards for amusement rides.--

5 (5) ANNUAL PERMIT.--

6 (a) An amusement ride may not be operated without a
7 current annual permit.

8 (b) To apply for an annual permit an owner must submit
9 to the department a written application on a form prescribed
10 by rule of the department, which must include the following:

11 1. The legal name, address, and primary place of
12 business of the owner.

13 2. A description, manufacturer's name, serial number,
14 model number and, if previously assigned, the United States
15 Amusement Identification Number of the amusement ride.

16 3. A valid certificate of insurance or bond for each
17 amusement ride.

18 4. An affidavit of compliance that the amusement ride
19 was inspected in person by the affiant and that the amusement
20 ride is in general conformance with the requirements of this
21 section and all applicable rules adopted by the department.
22 The affidavit must be executed by a professional engineer or a
23 qualified inspector no earlier than 60 days before, but not
24 later than, the date of the filing of the application with the
25 department. The owner shall request inspection and permitting
26 of the amusement ride within 30 days after the date of filing
27 the application with the department, and the department shall
28 inspect and permit the amusement ride within 90 days after the
29 date the affidavit is executed.

30 5. If required by subsection (6), an affidavit of
31 nondestructive testing dated and executed no earlier than 60

1 days before, but not later than,~~prior to~~ the date of the
2 filing of the application with the department. The owner shall
3 request inspection and permitting of the amusement ride within
4 30 days after the date of filing the application with the
5 department, and the department shall inspect and permit the
6 amusement ride within 90 days after the date the affidavit is
7 executed.

8 6. A request for inspection.

9 (c)~~7.~~ Upon request, the owner shall provide the
10 department a copy of the manufacturer's current recommended
11 operating instructions in the possession of the owner, the
12 owner's operating fact sheet, and any written bulletins in the
13 possession of the owner concerning the safety, operation, or
14 maintenance of the amusement ride.

15 (d)~~(c)~~ An annual permit must be issued by the
16 department to the owner of an amusement ride when a completed
17 application has been received, the amusement ride has passed
18 the department's inspection, and all applicable fees, as set
19 by rule of the department, have been paid.

20 (e)~~(d)~~ The annual permit is valid for 1 year from the
21 date of issue and is not transferable.

22 (f)~~(e)~~ The annual permit must be displayed on the
23 amusement ride in a place visible to patrons of the amusement
24 ride.

25 (g)~~(f)~~ Each go-kart track at the same permanent
26 facility is considered a separate amusement ride.

27 (h)~~(g)~~ Amusement rides at water parks which operate
28 from the same deck or level are considered one amusement ride.

29 (8) FEES.--

30 (a) The department may ~~shall~~ by rule establish fees to
31 cover the ~~100 percent of all~~ costs and expenditures associated

1 with the Bureau of Fair Rides Inspection, including all direct
2 costs and, all indirect costs, ~~and all division, data center,~~
3 ~~and administrative overhead~~. The fees must be deposited in the
4 General Inspection Trust Fund.

5 (b) Any owner of an amusement ride who has not paid
6 all the fees required under this section or who has any unpaid
7 fine outstanding under this section may not operate any
8 amusement ride in this state until the fees and fines have
9 been paid to the department.

10 (10) EXEMPTIONS.--

11 (a) This section does not apply to:

12 1. Permanent facilities that employ at least 1,000
13 full-time employees and that maintain full-time, in-house
14 safety inspectors. Furthermore, the permanent facilities must
15 file an affidavit of the annual inspection with the
16 department, on a form prescribed by rule of the department
17 ~~required by paragraph (5)(b)~~. Additionally, the Department of
18 Agriculture and Consumer Services may consult annually with
19 the permanent facilities regarding industry safety programs.

20 2. Any playground operated by a school, local
21 government, or business licensed under chapter 509, if the
22 playground is an incidental amenity and the operating entity
23 is not primarily engaged in providing amusement, pleasure,
24 thrills, or excitement.

25 3. Museums or other institutions principally devoted
26 to the exhibition of products of agriculture, industry,
27 education, science, religion, or the arts.

28 4. Conventions or trade shows for the sale or exhibit
29 of amusement rides if there are a minimum of 15 amusement
30 rides on display or exhibition, and if any operation of such
31

1 amusement rides is limited to the registered attendees of the
2 convention or trade show.

3 5. Skating rinks, arcades, lazer or paint ball war
4 games, bowling alleys, miniature golf courses, mechanical
5 bulls, inflatable rides, trampolines, ball crawls, exercise
6 equipment, jet skis, paddle boats, air boats, helicopters,
7 airplanes, parasails, hot air or helium balloons whether
8 tethered or untethered, theatres, batting cages, stationary
9 spring-mounted fixtures, rider-propelled merry-go-rounds,
10 games, side shows, live animal rides, or live animal shows.

11 6. Go-karts operated in competitive sporting events if
12 participation is not open to the public.

13 7. Nonmotorized playground equipment that is not
14 required to have a manager.

15 8. Coin-actuated amusement rides designed to be
16 operated by depositing coins, tokens, credit cards, debit
17 cards, bills, or other cash money and which are not required
18 to have a manager, and which have a capacity of six persons or
19 less.

20 9. Facilities described in s. 549.09(1)(a) when such
21 facilities are operating cars, trucks, or motorcycles only.

22 (b) The department may, by rule, establish exemptions
23 from this section for nonmotorized or human-powered amusement
24 rides or coin-actuated amusement rides.

25 (11) INSPECTION STANDARDS.--An amusement ride must
26 conform to and must be inspected by the department in
27 accordance with the following standards:

28 (a) All mechanical, structural, and electrical
29 components that affect patron safety must be in good working
30 order.

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1 (b) All control devices, speed-limiting devices,
2 brakes, and safety equipment designated by the manufacturer
3 must be in good working order.

4 (c) Parts must be properly aligned, and they may not
5 be bent, distorted, cut, or otherwise injured to force a fit.
6 Parts requiring lubrication must be lubricated in the course
7 of assembly. Fastening and locking devices must be installed
8 where required for safe operation.

9 (d) Before being used by the public, an amusement ride
10 must be placed or secured with blocking, cribbing, outriggers,
11 guys, or other means so as to be stable under all operating
12 conditions.

13 (e) Areas in which patrons may be endangered by the
14 operation of an amusement ride must be fenced, barricaded, or
15 otherwise effectively guarded against inadvertent contact.

16 (f) Machinery used in or with an amusement ride must
17 be enclosed, barricaded, or otherwise effectively guarded
18 against inadvertent contact.

19 (g) An amusement ride powered so as to be capable of
20 exceeding its maximum safe operating speed must be provided
21 with a maximum-speed-limiting device.

22 (h) The interior and exterior parts of all
23 patron-carrying amusement rides with which a patron may come
24 in contact must be smooth and rounded and free from sharp,
25 rough, or splintered edges and corners, with no projecting
26 studs, bolts, screws, or other projections which might cause
27 injury.

28 (i) Signs must be prominently displayed at the patron
29 entrance of each amusement ride which advise or warn patrons
30 of age restrictions, size restrictions, health restrictions,
31 weight limitations, and any other special consideration or use

1 restrictions required or recommended for the amusement ride by
2 the manufacturer.

3 (j)~~(i)~~ All amusement rides must comply with this
4 section and the rules adopted hereunder.

5 (17) PROHIBITIONS RELATED TO BUNGY OPERATIONS.--The
6 following bungee operations are prohibited:

7 (a) A bungee operation conducted with balloons, blimps,
8 helicopters, or other aircraft.

9 (b) Sand bagging, which is the practice of holding
10 onto any object, including another person, while bungee
11 jumping, for the purpose of exerting more force on the bungee
12 cord to stretch it further, and then releasing the object
13 during the jump causing the jumper to rebound with more force
14 than could be created by the jumper's weight alone.

15 (c) Tandem or multiple bungee jumping.

16 (d) Bungee jumping from any bridge, overpass, or any
17 other structure not specifically designed as an amusement
18 ride.

19 (e) Bungee catapulting or reverse bungee jumping.

20 Section 18. Section 616.260, Florida Statutes, is
21 amended to read:

22 616.260 Tax exemption of authority.--It is hereby
23 found and determined that all of the projects authorized by
24 this part constitute essential governmental purposes, and all
25 of the properties, revenues, moneys, and other assets owned
26 and used in the operation of those projects shall be exempt
27 from all taxation, including special assessments, by the state
28 or by any county, municipality, political subdivision, agency,
29 or instrumentality thereof. However, nothing in this section
30 shall grant any person other than the authority an exemption
31 from the tax imposed in chapter 220, and if property of the

1 authority is leased, the property shall be exempt from ad
2 valorem taxation only if the use by the lessee qualifies the
3 property for exemption under s. 196.199. The exemption
4 granted by this section shall not be applicable to any tax
5 imposed by chapter 220 on interest, income, or profits on debt
6 obligations owned by corporations. The property of the
7 authority shall be subject to the provisions of s. 196.199.

8 Section 19. Any special assessment imposed upon a fair
9 association or state fair by the state, or any county,
10 municipality, political subdivision, agency, or
11 instrumentality thereof, which has not been paid as of the
12 effective date of this act is not due from the fair
13 association or state fair.

14 Section 20. Paragraph (c) of subsection (3) of section
15 823.14, Florida Statutes, is amended to read:

16 823.14 Florida Right to Farm Act.--

17 (3) DEFINITIONS.--As used in this section:

18 (c) "Farm product" means any plant, as defined in s.
19 581.011, or animal useful to humans and includes, but is not
20 limited to, any product derived therefrom.

21 Section 21. (1) The Pest Exclusion Advisory Committee
22 is created within the Department of Agriculture and Consumer
23 Services. The committee shall be made up of 23 members. The
24 Commissioner of Agriculture shall appoint 15 members as
25 follows:

26 (a) Two members from the Department of Agriculture and
27 Consumer Services.

28 (b) Two citizens at large.

29 (c) One member from each of the following agricultural
30 production groups:

31 1. Row crops.

- 1 2. Citrus.
- 2 3. Horticulture.
- 3 4. Forestry.
- 4 5. Cattle.
- 5 6. Dairy.
- 6 7. Pork.
- 7 8. Poultry.
- 8 9. Horses.
- 9 10. Aquaculture.
- 10 11. Apiary.
- 11 (d) In addition, the committee shall include the
- 12 following members:
- 13 1. Two members from the Animal and Plant Health
- 14 Inspection Service of the United States Department of
- 15 Agriculture.
- 16 2. One member from research programs in the state's
- 17 land grant institutions.
- 18 3. One member from extension programs in the state's
- 19 land grant institutions.
- 20 4. One member from the Department of Environmental
- 21 Protection.
- 22 5. One member from the Game and Fresh Water Fish
- 23 Commission.
- 24 6. One member appointed by the President of the
- 25 Senate.
- 26 7. One member appointed by the Speaker of the House of
- 27 Representatives.
- 28 (2) The advisory committee shall be governed by
- 29 section 570.0705, Florida Statutes, and shall review and
- 30 evaluate the state's existing and future pest-exclusion,
- 31 detection, and eradication programs. The Commissioner of

1 Agriculture shall appoint the chairperson of the committee. In
2 evaluating the programs, the committee shall:

3 (a) Evaluate the scientific basis for the state's
4 programs, based on scientific background information provided
5 by the scientific community.

6 (b) Review current state laws and rules, evaluate
7 current public policy, and recommend any changes that might be
8 required in public policy.

9 (c) Identify areas that are at a high risk for pest
10 introduction and offer recommendations for special
11 programmatic activities to address the risk in those areas.

12 (d) Study the possibility of partnerships with other
13 public and private entities to develop programs, projects, and
14 activities that may be cost-effective and may help in
15 implementing a pest-exclusion program.

16 (e) Address any area of concern which is raised
17 regarding the state's pest-exclusion, detection, and
18 eradication programs.

19 (f) Make recommendations to the Commissioner of
20 Agriculture, the Governor, the President of the Senate, and
21 the Speaker of the House of Representatives regarding the
22 needs of and necessary changes to the state's programs, as
23 well as funding requirements and needs.

24 (3) The advisory committee shall issue its report to
25 the Commissioner of Agriculture, the Governor, the President
26 of the Senate, and the Speaker of the House of Representatives
27 by January 1, 2001.

28 Section 22. This act shall take effect upon becoming a
29 law.

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SENATE SUMMARY

Revises various administrative duties of the Department of Agriculture and Consumer Services. Revises requirements for the registration of antifreeze sold in the state. Repeals obsolete provisions governing duties of the Division of Standards. Authorizes the Division of Fruit and Vegetables to certify and supervise certain inspectors. Clarifies that property held in trust by a fair association and property of the Florida State Fair Authority are exempt from special assessments. Revises requirements for the department in issuing permits to conduct a public fair or exposition. Revises application requirements for persons who operate amusement rides. Prohibits bungy catapulting and reverse bungy jumping. Creates the Pest Exclusion Advisory Committee within the department. Requires the committee to review the state's pest-exclusion, detection, and eradication programs and make recommendations to the Governor and Legislature by January 1, 2001. (See bill for details.)