

1                   A bill to be entitled  
2           An act relating to agriculture; amending s. 403.067, F.S.;  
3           clarifying rulemaking authority relating to pollution  
4           reduction; granting presumption of compliance with water  
5           quality standards for certain research; releasing certain  
6           research from penalties relating to the discharge of  
7           pollutants; limiting eligibility for presumption of  
8           compliance and release; amending s. 482.021, F.S.;  
9           revising the definitions of the terms "employee" and  
10          "independent contractor" for purposes of pest control  
11          regulation; amending s. 482.051, F.S.; revising certain  
12          requirements of the department to adopt rules relating to  
13          the use of pesticides for preventing subterranean termites  
14          in new construction; amending s. 482.091, F.S.; clarifying  
15          provisions governing the performance of pest control  
16          services; amending s. 482.156, F.S.; requiring  
17          certification of individual commercial landscape  
18          maintenance personnel; revising the types of materials  
19          such personnel may use; removing obsolete provisions  
20          relating to fees; revising requirements relating to proof  
21          of education and insurance; revising the amount of  
22          required continuing education; removing a requirement for  
23          certain business experience; amending s. 482.211, F.S.;  
24          clarifying exemption of certain mosquito control  
25          activities from regulation; amending s. 500.033, F.S.;  
26          renaming the Florida Food Safety and Food Security  
27          Advisory Council as the Florida Food Safety and Food

28 | Defense Advisory Council and revising duties accordingly;  
29 | amending s. 500.12, F.S.; providing an exemption from  
30 | certain food inspections by the department; amending s.  
31 | 570.249, F.S.; expanding the conditions under which loan  
32 | funds to certain agricultural producers may be granted;  
33 | increasing the amount of funds that may be granted;  
34 | defining "losses" and "essential physical property";  
35 | creating s. 570.954, F.S.; authorizing the department, in  
36 | consultation with the state energy office within the  
37 | Department of Environmental Protection, to develop a farm-  
38 | to-fuel initiative; providing purposes of the initiative;  
39 | providing for a statewide information and education  
40 | program; amending s. 582.06, F.S.; revising the membership  
41 | of the Soil and Water Conservation Council; amending s.  
42 | 810.09, F.S.; providing criminal penalties for trespassing  
43 | on certain property; requiring warning signage; amending  
44 | s. 810.011, F.S.; defining "agricultural chemicals  
45 | manufacturing facility"; amending s. 828.30, F.S.;  
46 | updating references to the Rabies Vaccination Certificate;  
47 | designating the Austin Dewey Gay Memorial Agricultural  
48 | Inspection Station in Escambia County; directing the  
49 | department to erect suitable markers; prohibiting any  
50 | person from remaining on certain property or in certain  
51 | structures for commercial purposes under certain  
52 | circumstances; prohibiting a person from lawfully  
53 | remaining on any property or in any structure under  
54 | certain circumstances; providing for certain ad valorem

55 |           taxation for agriculture equipment under certain  
56 |           circumstances; providing effective dates.

57 |

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

59 |

60 |           Section 1. Paragraph (c) of subsection (7) and paragraph  
61 | (b) of subsection (11) of section 403.067, Florida Statutes, are  
62 | amended to read:

63 |           403.067 Establishment and implementation of total maximum  
64 | daily loads.--

65 |           (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND  
66 | IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.--

67 |           (c) Best management practices.--

68 |           1. The department, in cooperation with the water  
69 | management districts and other interested parties, as  
70 | appropriate, may develop suitable interim measures, best  
71 | management practices, or other measures necessary to achieve the  
72 | level of pollution reduction established by the department for  
73 | nonagricultural nonpoint pollutant sources in allocations  
74 | developed pursuant to subsection (6) and this subsection. These  
75 | practices and measures may be adopted by rule by the department  
76 | and the water management districts pursuant to ss. 120.536(1)  
77 | and 120.54, and, where adopted by rule, shall be implemented by  
78 | those parties responsible for nonagricultural nonpoint source  
79 | pollution.

80 |           2. The Department of Agriculture and Consumer Services may  
81 | develop and adopt by rule pursuant to ss. 120.536(1) and 120.54

82 | suitable interim measures, best management practices, or other  
83 | measures necessary to achieve the level of pollution reduction  
84 | established by the department for agricultural pollutant sources  
85 | in allocations developed pursuant to subsection (6) and this  
86 | subsection or for programs implemented pursuant to paragraph  
87 | (11) (b). These practices and measures may be implemented by  
88 | those parties responsible for agricultural pollutant sources and  
89 | the department, the water management districts, and the  
90 | Department of Agriculture and Consumer Services shall assist  
91 | with implementation. In the process of developing and adopting  
92 | rules for interim measures, best management practices, or other  
93 | measures, the Department of Agriculture and Consumer Services  
94 | shall consult with the department, the Department of Health, the  
95 | water management districts, representatives from affected  
96 | farming groups, and environmental group representatives. Such  
97 | rules shall also incorporate provisions for a notice of intent  
98 | to implement the practices and a system to assure the  
99 | implementation of the practices, including recordkeeping  
100 | requirements.

101 | 3. Where interim measures, best management practices, or  
102 | other measures are adopted by rule, the effectiveness of such  
103 | practices in achieving the levels of pollution reduction  
104 | established in allocations developed by the department pursuant  
105 | to subsection (6) and this subsection or in programs implemented  
106 | pursuant to paragraph (11) (b) shall be verified at  
107 | representative sites by the department. The department shall use  
108 | best professional judgment in making the initial verification

109 | that the best management practices are reasonably expected to be  
110 | effective and, where applicable, shall notify the appropriate  
111 | water management district or ~~and~~ the Department of Agriculture  
112 | and Consumer Services of its initial verification prior to the  
113 | adoption of a rule proposed pursuant to this paragraph.  
114 | Implementation, in accordance with rules adopted under this  
115 | paragraph, of practices that have been initially verified to be  
116 | effective, or verified to be effective by monitoring at  
117 | representative sites, by the department, shall provide a  
118 | presumption of compliance with state water quality standards and  
119 | release from the provisions of s. 376.307(5) for those  
120 | pollutants addressed by the practices, and the department is not  
121 | authorized to institute proceedings against the owner of the  
122 | source of pollution to recover costs or damages associated with  
123 | the contamination of surface water or groundwater caused by  
124 | those pollutants. Research projects funded by the department, a  
125 | water management district, or the Department of Agriculture and  
126 | Consumer Services to develop or demonstrate interim measures or  
127 | best management practices shall be granted a presumption of  
128 | compliance with state water quality standards and a release from  
129 | the provisions of s. 376.307(5). The presumption of compliance  
130 | and release shall be limited to the research site and only those  
131 | pollutants addressed by the interim measures or best management  
132 | practices. Eligibility for the presumption of compliance and  
133 | release shall be limited to research projects on sites where the  
134 | owner or operator of the research site and the department, a  
135 | water management district, or the Department of Agriculture and

136 Consumer Services have entered into a contract or other  
137 agreement that, at a minimum, specifies the research objectives,  
138 the cost-share responsibilities of the parties, and a schedule  
139 that details the beginning and ending dates of the project.

140 4. Where water quality problems are demonstrated, despite  
141 the appropriate implementation, operation, and maintenance of  
142 best management practices and other measures according to rules  
143 adopted under this paragraph, the department, a water management  
144 district, or the Department of Agriculture and Consumer  
145 Services, in consultation with the department, shall institute a  
146 reevaluation of the best management practice or other measure.  
147 Should the reevaluation determine that the best management  
148 practice or other measure requires modification, the department,  
149 a water management district, or the Department of Agriculture  
150 and Consumer Services, as appropriate, shall revise the rule to  
151 require implementation of the modified practice within a  
152 reasonable time period as specified in the rule.

153 5. Individual agricultural records relating to processes  
154 or methods of production, or relating to costs of production,  
155 profits, or other financial information which are otherwise not  
156 public records, which are reported to the Department of  
157 Agriculture and Consumer Services pursuant to subparagraphs 3.  
158 and 4. or pursuant to any rule adopted pursuant to subparagraph  
159 2. shall be confidential and exempt from s. 119.07(1) and s.  
160 24(a), Art. I of the State Constitution. Upon request of the  
161 department or any water management district, the Department of  
162 Agriculture and Consumer Services shall make such individual

163 agricultural records available to that agency, provided that the  
 164 confidentiality specified by this subparagraph for such records  
 165 is maintained. This subparagraph is subject to the Open  
 166 Government Sunset Review Act of 1995 in accordance with s.  
 167 119.15, and shall stand repealed on October 2, 2006, unless  
 168 reviewed and saved from repeal through reenactment by the  
 169 Legislature.

170 6. The provisions of subparagraphs 1. and 2. shall not  
 171 preclude the department or water management district from  
 172 requiring compliance with water quality standards or with  
 173 current best management practice requirements set forth in any  
 174 applicable regulatory program authorized by law for the purpose  
 175 of protecting water quality. Additionally, subparagraphs 1. and  
 176 2. are applicable only to the extent that they do not conflict  
 177 with any rules adopted by the department that are necessary to  
 178 maintain a federally delegated or approved program.

179 (11) IMPLEMENTATION OF ADDITIONAL PROGRAMS.--

180 (b) Interim measures, best management practices, or other  
 181 measures may be developed and voluntarily implemented pursuant  
 182 to paragraph ~~subparagraphs~~ (7)(c) ~~1. and 2.~~ for any water body or  
 183 segment for which a total maximum daily load or allocation has  
 184 not been established. The implementation of such pollution  
 185 control programs may be considered by the department in the  
 186 determination made pursuant to subsection (4).

187 Section 2. Subsections (7) and (12) of section 482.021,  
 188 Florida Statutes, are amended to read:

189 482.021 Definitions.--For the purposes of this chapter,  
 190 and unless otherwise required by the context, the term:

191 (7) "Employee" means a person who is employed by a  
 192 licensee that provides that person with necessary training,  
 193 supervision, pesticides, equipment, and insurance and who  
 194 receives compensation from and is under the personal supervision  
 195 and direct control of the licensee's certified operator in  
 196 charge and licensee from whose ~~which~~ compensation ~~of~~ the  
 197 licensee regularly deducts and matches federal insurance  
 198 contributions and federal income and Social Security taxes.

199 (12) "Independent contractor" means an entity separate  
 200 from the licensee that:

201 (a) Receives moneys from a customer which are deposited in  
 202 a bank account other than that of the licensee;

203 (b) Owns or supplies its own service vehicle, equipment,  
 204 and pesticides; ~~or~~

205 (c) Maintains a business operation, office, or support  
 206 staff independent of the licensee's direct control;

207 (d) Pays its own operating expenses such as fuel,  
 208 equipment, pesticides, and materials; or

209 (e) ~~(e)~~ Pays its own workers' ~~worker's~~ compensation as an  
 210 independent contractor.

211 Section 3. Subsection (5) of section 482.051, Florida  
 212 Statutes, is amended to read:

213 482.051 Rules.--The department has authority to adopt  
 214 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
 215 provisions of this chapter. Prior to proposing the adoption of a



216 rule, the department shall counsel with members of the pest  
217 control industry concerning the proposed rule. The department  
218 shall adopt rules for the protection of the health, safety, and  
219 welfare of pest control employees and the general public which  
220 require:

221 (5) That any pesticide used as the primary preventive  
222 treatment for ~~preconstruction treatments for the prevention of~~  
223 subterranean termites in new construction be applied in the  
224 amount, concentration, and treatment area in accordance with the  
225 label; that a copy of the label of the registered pesticide  
226 being applied be carried in a vehicle at the site where the  
227 pesticide is being applied; and that the licensee maintain for 3  
228 years the record of each preconstruction treatment, indicating  
229 the date of treatment, the location or address of the property  
230 treated, the total square footage of the structure treated, the  
231 type of pesticide applied, the concentration of each substance  
232 in the mixture applied, and the total amount of pesticide  
233 applied.

234 Section 4. Paragraph (a) of subsection (2) of section  
235 482.091, Florida Statutes, is amended to read:

236 482.091 Employee identification cards.--

237 (2)(a) An identification cardholder must be an employee of  
238 the licensee and work under the direction and supervision of the  
239 licensee's certified operator in charge and shall ~~may~~ not be an  
240 independent contractor. An identification cardholder shall  
241 operate ~~may perform~~ only ~~pest control services~~ out of, and ~~or~~  
242 for customers assigned ~~arising~~ from, the licensee's licensed

243 business location. An identification cardholder shall ~~may~~ not  
244 perform any pest control independently of and without the  
245 knowledge of the licensee and the licensee's certified operator  
246 in charge and shall ~~may~~ perform pest control only for the  
247 licensee's customers.

248 Section 5. Subsections (1), (2), and (3) of section  
249 482.156, Florida Statutes, are amended to read:

250 482.156 Limited certification for commercial landscape  
251 maintenance personnel.--

252 (1) The department shall establish a limited certification  
253 category for individual commercial landscape maintenance  
254 personnel to authorize them to apply herbicides for controlling  
255 weeds in plant beds and to perform integrated pest management on  
256 ornamental plants using ~~the following materials:~~ insecticides  
257 and fungicides having the signal word "caution" but not having  
258 the word "warning" or "danger" on the label, ~~insecticidal soaps,~~  
259 ~~horticultural oils, and bacillus thuringiensis formulations.~~ The  
260 application equipment that may be used by a person certified  
261 pursuant to this section is limited to portable, handheld 3-  
262 gallon compressed air sprayers or backpack sprayers having no  
263 more than a 5-gallon capacity and does not include power  
264 equipment.

265 (2) (a) A person seeking limited certification under this  
266 section must pass an examination given by the department. Each  
267 application for examination must be accompanied by an  
268 examination fee set by rule of the department, in an amount of  
269 not more than \$150 or less than \$50, ~~however, until a rule~~

270 ~~setting this fee is adopted by the department, the examination~~  
271 ~~fee is \$50. Prior to the department's issuing a limited~~  
272 ~~certification under this section, each person applying making~~  
273 ~~application for the certification ~~under this section~~ must~~  
274 furnish proof of having a certificate of insurance which states  
275 that the employer meets the requirements for minimum financial  
276 responsibility for bodily injury and property damage required by  
277 s. 482.071(4).

278 (b) To be eligible to take the examination, an applicant  
279 must have completed 6 & classroom hours of plant bed and  
280 ornamental continuing education training approved by the  
281 department and provide sufficient proof, according to criteria  
282 established by department rule, of having successfully completed  
283 the continuing education training ~~that the applicant has been in~~  
284 ~~the landscape maintenance business for at least 3 years.~~

285 ~~(b)~~ The department shall provide the appropriate reference  
286 materials for the examination and make the examination readily  
287 accessible and available to applicants at least quarterly or as  
288 necessary in each county.

289 (3) An application for recertification under this section  
290 must be made annually and be accompanied by a recertification  
291 fee set by rule of the department, in an amount of not more than  
292 \$75 or less than \$25; ~~however, until a rule setting this fee is~~  
293 ~~adopted by the department, the fee for recertification is \$25.~~  
294 The application must also be accompanied by proof of having  
295 completed 4 classroom hours of acceptable continuing education  
296 and the same proof of having a certificate of insurance as is

297 required for issuance of this ~~initial~~ certification. After a  
 298 grace period not exceeding 30 calendar days following the annual  
 299 date that recertification is due, a late renewal charge of \$50  
 300 shall be assessed and must be paid in addition to the renewal  
 301 fee. Unless timely recertified, a certificate automatically  
 302 expires 180 calendar days after the anniversary recertification  
 303 date. Subsequent to such expiration, a certificate may be issued  
 304 only upon successful reexamination and upon payment of the  
 305 examination fees due.

306 Section 6. Subsection (7) of section 482.211, Florida  
 307 Statutes, is amended to read:

308 482.211 Exemptions.--This chapter does not apply to:

309 (7) ~~Area~~ Mosquito control activities conducted by a local  
 310 government or district established under chapter 388, by special  
 311 act, or by a contractor of the local government or district.

312 Section 7. Section 500.033, Florida Statutes, is amended  
 313 to read:

314 500.033 Florida Food Safety and Food Defense Security  
 315 Advisory Council.--

316 (1) There is created the Florida Food Safety and Food  
 317 Defense Security Advisory Council for the purpose of serving as  
 318 a forum for presenting, investigating, and evaluating issues of  
 319 current importance to the assurance of a safe and secure food  
 320 supply to the citizens of Florida. The Florida Food Safety and  
 321 Food Defense Security Advisory Council shall consist of, but not  
 322 be limited to: the Commissioner of Agriculture or his or her  
 323 designee; the Secretary of Health or his or her designee; the

324 Secretary of Business and Professional Regulation or his or her  
325 designee; the person responsible for domestic security with the  
326 ~~Florida~~ Department of Law Enforcement; members representing the  
327 production, processing, distribution, and sale of foods;  
328 consumers or ~~and/or~~ members of citizens groups; representatives  
329 of ~~or~~ food industry groups; scientists or other experts in  
330 aspects of food safety from state universities; representatives  
331 from local, state, and federal agencies that are charged with  
332 responsibilities for food safety or food defense ~~security~~; the  
333 chairs of the Agriculture Committees of the Senate and the House  
334 of Representatives or their designees; and the chairs of the  
335 committees of the Senate and the House of Representatives with  
336 jurisdictional oversight of home defense issues or their  
337 designees. The Commissioner of Agriculture shall appoint the  
338 remaining members. The council shall make periodic reports to  
339 the Department of Agriculture and Consumer Services concerning  
340 findings and recommendations in the area of food safety and food  
341 defense ~~security~~.

342 (2) The council shall consider the development of  
343 appropriate advice or recommendations on food safety or food  
344 defense ~~security~~ issues. In the discharge of their duties, the  
345 council members may receive for review confidential data exempt  
346 from the provisions of s. 119.07(1); however, it is unlawful for  
347 any member of the council to use the data for his or her  
348 advantage or reveal the data to the general public.

349 Section 8. Paragraph (a) of subsection (1) of section  
350 500.12, Florida Statutes, is amended to read:

351 500.12 Food permits; building permits.--

352 (1) (a) A food permit from the department is required of  
 353 any person who operates a food establishment or retail food  
 354 store, except:

355 1. Persons operating minor food outlets, including, but  
 356 not limited to, video stores, that sell commercially  
 357 prepackaged, nonpotentially hazardous candy, chewing gum, soda,  
 358 or popcorn, provided the shelf space for those items does not  
 359 exceed 12 linear feet and no other food is sold by the minor  
 360 food outlet.

361 2. Persons subject to continuous, onsite federal or state  
 362 inspection.

363 3. Persons selling only legumes in the shell, either  
 364 parched, roasted, or boiled.

365 4. Persons selling sugar cane or sorghum syrup that has  
 366 been boiled and bottled at a location within the state, provided  
 367 the bottles are labeled with the producer's name and street  
 368 address, all added ingredients, the net weight or volume of the  
 369 product, and a statement that reads, "This product has not been  
 370 produced in a facility permitted by the Florida Department of  
 371 Agriculture and Consumer Services."

372 Section 9. Subsection (1) of section 570.249, Florida  
 373 Statutes, is amended to read:

374 570.249 Agricultural Economic Development Program disaster  
 375 loans and grants and aid.--

376 (1) USE OF LOAN FUNDS.--

377        (a) Loan funds to agricultural producers who have  
 378 experienced ~~crop~~ losses from a natural disaster or a  
 379 socioeconomic condition or event may be used to:

380        1. Restore, ~~or~~ replace, or remove debris from essential  
 381 physical property, ~~such as animals, fences, equipment,~~  
 382 ~~structural production facilities, and orchard trees;~~

383        2. Pay all or part of production costs associated with the  
 384 disaster year.†

385        3. Pay essential family living expenses.† and  
 386        4. Restructure farm debts.

387        (b) To be eligible, agricultural producers may have no  
 388 more than 300 acres currently in production.

389        (c) Funds may be issued as direct loans, or as loan  
 390 guarantees for up to 90 percent of the total loan, in amounts  
 391 not less than \$30,000 nor more than \$300,000 ~~\$250,000~~.  
 392 Applicants must provide at least 10 percent equity.

393        (d) For purposes of this subsection, the term:

394        1. "Losses" means loss or damage to crops, agricultural  
 395 products, facilities, or infrastructure, or farmworker housing.

396        2. "Essential physical property" means fences, equipment,  
 397 structural production facilities, such as shade houses and  
 398 greenhouses, other agricultural facilities or infrastructure, or  
 399 farmworker housing.

400        Section 10. Section 570.954, Florida Statutes, is created  
 401 to read:

402        570.954 Farm-to-fuel initiative.--

403       (1) The department may develop a farm-to-fuel initiative  
 404 to enhance the market for and promote the production and  
 405 distribution of renewable energy from Florida-grown crops,  
 406 agricultural wastes and residues, and other biomass and to  
 407 enhance the value of agricultural products or expand  
 408 agribusiness in the state.

409       (2) The department may conduct a statewide comprehensive  
 410 information and education program aimed at educating the general  
 411 public about the benefits of renewable energy and the use of  
 412 alternative fuels.

413       (3) The department shall coordinate with and solicit the  
 414 expertise of the state energy office within the Department of  
 415 Environmental Protection when developing and implementing this  
 416 initiative.

417       Section 11. Paragraphs (b) and (c) of subsection (1) of  
 418 section 582.06, Florida Statutes, are amended to read:

419       582.06 Soil and Water Conservation Council; powers and  
 420 duties.--

421       (1) COMPOSITION.--The Soil and Water Conservation Council  
 422 is created in the Department of Agriculture and Consumer  
 423 Services and shall be composed of 23 members as follows:

424       (b) Twelve ~~nonvoting ex-officio~~ members shall include one  
 425 representative each from the Department of Environmental  
 426 Protection, the five water management districts, the Institute  
 427 of Food and Agricultural Sciences at the University of Florida,  
 428 the United States Department of Agriculture Natural Resources  
 429 Conservation Service, the Florida Association of Counties, and



430 the Florida League of Cities, and two representatives of  
 431 environmental interests.

432 (c) All members shall be appointed by the commissioner. ~~Ex~~  
 433 ~~officio~~ Members appointed pursuant to paragraph (b) shall be  
 434 appointed by the commissioner from recommendations provided by  
 435 the organization or interest represented.

436 Section 12. Paragraph (h) is added to subsection (2) of  
 437 section 810.09, Florida Statutes, to read:

438 810.09 Trespass on property other than structure or  
 439 conveyance.--

440 (2)

441 (h) The offender commits a felony of the third degree,  
 442 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
 443 if the property trespassed upon is an agricultural chemicals  
 444 manufacturing facility that is legally posted and identified in  
 445 substantially the following manner: "THIS AREA IS A DESIGNATED  
 446 AGRICULTURAL CHEMICALS MANUFACTURING FACILITY, AND ANYONE WHO  
 447 TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

448 Section 13. Subsection (12) is added to section 810.011,  
 449 Florida Statutes, to read:

450 810.011 Definitions.--As used in this chapter:

451 (12) "Agricultural chemicals manufacturing facility" means  
 452 any facility, and any properties or structures associated with  
 453 the facility, used for the manufacture, processing, or storage  
 454 of agricultural chemicals classified in Industry Group 287  
 455 contained in the Standard Industrial Classification Manual,

456 1987, as published by the Office of Management and Budget,  
457 Executive Office of the President.

458 Section 14. Subsection (3) of section 828.30, Florida  
459 Statutes, is amended to read:

460 828.30 Rabies vaccination of dogs, cats, and ferrets.--

461 (3) Upon vaccination against rabies, the licensed  
462 veterinarian shall provide the animal's owner and the animal  
463 control authority with a rabies vaccination certificate. Each  
464 animal control authority and veterinarian shall use the Form 51,  
465 "Rabies Vaccination Certificate," of the National Association of  
466 State Public Health Veterinarians (NASPHV) or an equivalent form  
467 approved by the local government that contains all the  
468 information required by the NASPHV Rabies Vaccination  
469 Certificate Form 51. The veterinarian who administers the rabies  
470 vaccine to an animal as required under this section may affix  
471 his or her signature stamp in lieu of an actual signature.

472 Section 15. Austin Dewey Gay Memorial Agricultural  
473 Inspection Station designated; Department of Agriculture and  
474 Consumer Services to erect suitable markers.--

475 (1) The agricultural inspection station located at or near  
476 mile marker 1 on Interstate Highway 10 in Escambia County is  
477 designated as the "Austin Dewey Gay Memorial Agricultural  
478 Inspection Station."

479 (2) The Department of Agriculture and Consumer Services is  
480 directed to erect suitable markers designating the Austin Dewey  
481 Gay Memorial Agricultural Inspection Station as described in  
482 subsection (1).

483           Section 16. For purposes of ss. 810.08 and 810.09, Florida  
 484 Statutes, no person may lawfully remain on any property or in  
 485 any structure that is held open to the public generally for  
 486 commercial purposes and from which agricultural products are  
 487 sold or is permitted under chapter 500, Florida Statutes, after  
 488 the owner or its agent orders that person to leave the premises  
 489 because the person is engaged in an activity deemed by the owner  
 490 or its agent to be detrimental to the commercial purposes for  
 491 which the premises is held open for the public.

492           Section 17. Assessment of obsolete agricultural  
 493 equipment.--

494           (1) For purposes of ad valorem property taxation,  
 495 agricultural equipment that is located on property classified as  
 496 agricultural under s. 193.461, Florida Statutes and that is no  
 497 longer usable for its intended purpose shall be deemed to have a  
 498 market value no greater than its value for salvage.

499           (2) This section shall take effect January 1, 2007.

500           Section 18. Except as otherwise expressly provided in this  
 501 act, this act shall take effect on July 1, 2006.