

By Senator Simmons

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1 A reviser's bill to be entitled
2 An act relating to the Florida Statutes; amending ss.
3 487.064, 487.071, 493.6113, 493.6115, 570.921,
4 573.1201, 583.181, and 593.107, F.S., to conform to
5 the directive of the Legislature in section 9 of
6 chapter 2012-116, Laws of Florida, codified as section
7 11.242(5)(j), Florida Statutes, to prepare a reviser's
8 bill to omit all statutes and laws, or parts thereof,
9 which grant duplicative, redundant, or unused
10 rulemaking authority; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (3) of section 487.064, Florida
15 Statutes, is amended to read:

16 487.064 Antisiphon requirements for irrigation systems.—

17 ~~(3) The department may establish by rule specific~~
18 ~~requirements for antisiphon devices and for sites where~~
19 ~~pesticide mixing-loading occurs.~~

20 Section 2. Paragraph (b) of subsection (7) of section
21 487.071, Florida Statutes, is amended to read:

22 487.071 Enforcement, inspection, sampling, and analysis.—

23 (7)

24 (b) The department shall establish ~~by rule~~ a fee schedule
25 for pesticide samples analyzed upon request. The fees shall be
26 sufficient to cover the costs to the department for taking the
27 samples and performing the analysis. However, no fee shall
28 exceed \$400 per test.

29 Section 3. Paragraph (b) of subsection (3) of section

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30 493.6113, Florida Statutes, is amended to read:

31 493.6113 Renewal application for licensure.—

32 (3) Each licensee is responsible for renewing his or her
33 license on or before its expiration by filing with the
34 department an application for renewal accompanied by payment of
35 the prescribed license fee.

36 (b) Each Class "G" licensee shall additionally submit proof
37 that he or she has received during each year of the license
38 period a minimum of 4 hours of firearms recertification training
39 taught by a Class "K" licensee and has complied with such other
40 health and training requirements that the department shall adopt
41 ~~by rule~~. Proof of completion of firearms recertification
42 training shall be submitted to the department upon completion of
43 the training. If the licensee fails to complete the required 4
44 hours of annual training during the first year of the 2-year
45 term of the license, the license shall be automatically
46 suspended. The licensee must complete the minimum number of
47 hours of range and classroom training required at the time of
48 initial licensure and submit proof of completion of such
49 training to the department before the license may be reinstated.
50 If the licensee fails to complete the required 4 hours of annual
51 training during the second year of the 2-year term of the
52 license, the licensee must complete the minimum number of hours
53 of range and classroom training required at the time of initial
54 licensure and submit proof of completion of such training to the
55 department before the license may be renewed. The department may
56 waive the firearms training requirement if:

57 1. The applicant provides proof that he or she is currently
58 certified as a law enforcement officer or correctional officer

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59 under the Criminal Justice Standards and Training Commission and
60 has completed law enforcement firearms requalification training
61 annually during the previous 2 years of the licensure period;

62 2. The applicant provides proof that he or she is currently
63 certified as a federal law enforcement officer and has received
64 law enforcement firearms training administered by a federal law
65 enforcement agency annually during the previous 2 years of the
66 licensure period; or

67 3. The applicant submits a valid firearm certificate among
68 those specified in s. 493.6105(6) (a) and provides proof of
69 having completed requalification training during the previous 2
70 years of the licensure period.

71 Section 4. Subsection (16) of section 493.6115, Florida
72 Statutes, is amended to read:

73 493.6115 Weapons and firearms.—

74 (16) If the criminal history record check program
75 referenced in s. 493.6108(1) is inoperable, the department may
76 issue a temporary "G" license on a case-by-case basis, provided
77 that the applicant has met all statutory requirements for the
78 issuance of a temporary "G" license as specified in subsection
79 (12), excepting the criminal history record check stipulated
80 there; provided, that the department requires that the licensed
81 employer of the applicant conduct a criminal history record
82 check of the applicant pursuant to standards set forth ~~in rule~~
83 by the department, and provide to the department an affidavit
84 containing such information and statements as required by the
85 department, including a statement that the criminal history
86 record check did not indicate the existence of any criminal
87 history that would prohibit licensure. Failure to properly

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88 conduct such a check, or knowingly providing incorrect or
89 misleading information or statements in the affidavit
90 constitutes grounds for disciplinary action against the licensed
91 agency, including revocation of license.

92 Section 5. Section 570.921, Florida Statutes, is amended to
93 read:

94 570.921 Environmental Stewardship Certification Program.—
95 The department may, ~~by rule,~~ establish the Environmental
96 Stewardship Certification Program consistent with this section.
97 ~~A rule adopted under this section must be developed in~~
98 ~~consultation with state universities, agricultural~~
99 ~~organizations, and other interested parties.~~

100 (1) The program must:

101 (a) Be integrated, to the maximum extent practicable, with
102 programs that are sponsored by agricultural organizations or
103 state universities.

104 (b) Be designed to recognize and promote agricultural
105 operations or homeowner practices that demonstrate exemplary
106 resource management that is related to environmental
107 stewardship.

108 (c) Include a process to periodically review a
109 certification to ensure compliance with the program
110 requirements, including implementation by the certificateholder.

111 (d) Require periodic continuing education in relevant
112 environmental stewardship issues in order to maintain
113 certification.

114 (2) The department shall provide an agricultural
115 certification under this program for implementation of one or
116 more of the following criteria:

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117 (a) A voluntary agreement between an agency and an
118 agricultural producer for environmental improvement or water-
119 resource protection.

120 (b) A conservation plan that meets or exceeds the
121 requirements of the United States Department of Agriculture.

122 (c) Best management practices adopted ~~by rule~~ pursuant to
123 s. 403.067(7)(c) or s. 570.93(1)(b).

124 (3) The Soil and Water Conservation Council created by s.
125 582.06 may develop and recommend to the department for adoption
126 additional criteria for receipt of an agricultural certification
127 which may include, but not be limited to:

128 (a) Comprehensive management of all on-farm resources.

129 (b) Promotion of environmental awareness and responsible
130 resource stewardship in agricultural or urban communities.

131 (c) Completion of a curriculum of study that is related to
132 environmental issues and regulation.

133 (4) If needed, the department and the Institute of Food and
134 Agricultural Sciences at the University of Florida may jointly
135 develop a curriculum that provides instruction concerning
136 environmental issues pertinent to agricultural certification and
137 deliver such curriculum to, and certify its completion by, any
138 person seeking certification or to maintain certification.

139 (5) The department may enter into agreements with third-
140 party providers to administer or implement all or part of the
141 program.

142 Section 6. Subsection (1) of section 573.1201, Florida
143 Statutes, is amended to read:

144 573.1201 Certificates of exemption.—

145 ~~(1) The department may adopt procedures pursuant to which~~

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146 ~~certificates of exemption will be issued to producers or~~
147 ~~handlers.~~

148 Section 7. Paragraph (a) of subsection (3) of section
149 583.181, Florida Statutes, is amended to read:

150 583.181 Disposal of dead poultry and hatchery residue;
151 inspection and quarantine; penalties.—

152 (3) POWERS AND DUTIES.—In the discharge of its duties under
153 this section, the department has the power:

154 (a) To prescribe ~~promulgate rules prescribing~~ satisfactory
155 facilities and equipment for the handling, destruction, and
156 disposal of dead birds and hatchery residue so as to prevent the
157 spread or dissemination of diseases of poultry.

158 Section 8. Section 593.107, Florida Statutes, is amended to
159 read:

160 593.107 Regulation of collection, transportation,
161 distribution, and movement of cotton.—Each grower of cotton
162 shall keep and furnish the department such information as it
163 may, ~~by rule,~~ require regarding the collection, transportation,
164 distribution, and processing of cotton for the purpose of
165 determining if the cotton is infested with the boll weevil.
166 Further, each such grower is required to keep and maintain
167 sanitary at all times her or his vehicles used in the
168 collection, transportation, and distribution of cotton ~~under~~
169 ~~such rules~~ as may be required by the department. The department
170 may govern ~~promulgate rules governing~~ the movement of regulated
171 articles within the state and from another state, or portion
172 thereof, into an eradication zone when that state is known to be
173 infested with the boll weevil.

174 Reviser's note.—Amends or repeals provisions of the Florida

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175 Statutes pursuant to the directive of the Legislature in s.
176 9, ch. 2012-116, Laws of Florida, codified as s.
177 11.242(5)(j), Florida Statutes, to prepare a reviser's bill
178 to omit all statutes and laws, or parts thereof, which
179 grant duplicative, redundant, or unused rulemaking
180 authority.

181 Section 9. This act shall take effect on the 60th day after
182 adjournment sine die of the session of the Legislature in which
183 enacted.