

By the Committee on Rules; and Senator Simmons

595-02270-16

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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, 570.921, 573.1201, 583.181, and
4 593.107, F.S., to conform to the directive of the
5 Legislature in section 9 of chapter 2012-116, Laws of
6 Florida, codified as section 11.242(5)(j), Florida
7 Statutes, to prepare a reviser's bill to omit all
8 statutes and laws, or parts thereof, which grant
9 duplicative, redundant, or unused rulemaking
10 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. Section 570.921, Florida Statutes, is amended to
30 read:

31 570.921 Environmental Stewardship Certification Program.—

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32 The department may, ~~by rule,~~ establish the Environmental
33 Stewardship Certification Program consistent with this section.
34 ~~A rule adopted under this section must be developed in~~
35 ~~consultation with state universities, agricultural~~
36 ~~organizations, and other interested parties.~~

37 (1) The program must:

38 (a) Be integrated, to the maximum extent practicable, with
39 programs that are sponsored by agricultural organizations or
40 state universities.

41 (b) Be designed to recognize and promote agricultural
42 operations or homeowner practices that demonstrate exemplary
43 resource management that is related to environmental
44 stewardship.

45 (c) Include a process to periodically review a
46 certification to ensure compliance with the program
47 requirements, including implementation by the certificateholder.

48 (d) Require periodic continuing education in relevant
49 environmental stewardship issues in order to maintain
50 certification.

51 (2) The department shall provide an agricultural
52 certification under this program for implementation of one or
53 more of the following criteria:

54 (a) A voluntary agreement between an agency and an
55 agricultural producer for environmental improvement or water-
56 resource protection.

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

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

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61 (3) The Soil and Water Conservation Council created by s.
62 582.06 may develop and recommend to the department for adoption
63 additional criteria for receipt of an agricultural certification
64 which may include, but not be limited to:

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

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

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

70 (4) If needed, the department and the Institute of Food and
71 Agricultural Sciences at the University of Florida may jointly
72 develop a curriculum that provides instruction concerning
73 environmental issues pertinent to agricultural certification and
74 deliver such curriculum to, and certify its completion by, any
75 person seeking certification or to maintain certification.

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

79 Section 4. Subsection (1) of section 573.1201, Florida
80 Statutes, is amended to read:

81 573.1201 Certificates of exemption.—

82 ~~(1) The department may adopt procedures pursuant to which~~
83 ~~certificates of exemption will be issued to producers or~~
84 ~~handlers.~~

85 Section 5. Paragraph (a) of subsection (3) of section
86 583.181, Florida Statutes, is amended to read:

87 583.181 Disposal of dead poultry and hatchery residue;
88 inspection and quarantine; penalties.—

89 (3) POWERS AND DUTIES.—In the discharge of its duties under

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90 this section, the department has the power:

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

95 Section 6. Section 593.107, Florida Statutes, is amended to
96 read:

97 593.107 Regulation of collection, transportation,
98 distribution, and movement of cotton.—Each grower of cotton
99 shall keep and furnish the department such information as it
100 may, ~~by rule,~~ require regarding the collection, transportation,
101 distribution, and processing of cotton for the purpose of
102 determining if the cotton is infested with the boll weevil.
103 Further, each such grower is required to keep and maintain
104 sanitary at all times her or his vehicles used in the
105 collection, transportation, and distribution of cotton ~~under~~
106 ~~such rules~~ as may be required by the department. The department
107 may govern ~~promulgate rules governing~~ the movement of regulated
108 articles within the state and from another state, or portion
109 thereof, into an eradication zone when that state is known to be
110 infested with the boll weevil.

111 Reviser's note.—Amends or repeals provisions of the Florida
112 Statutes pursuant to the directive of the Legislature in s.
113 9, ch. 2012-116, Laws of Florida, codified as s.
114 11.242(5)(j), Florida Statutes, to prepare a reviser's bill
115 to omit all statutes and laws, or parts thereof, which
116 grant duplicative, redundant, or unused rulemaking
117 authority.

118 Section 7. This act shall take effect on the 60th day after

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119 adjournment sine die of the session of the Legislature in which
120 enacted.