

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

53 | number of hours of range and classroom training required at the  
 54 | time of initial licensure and submit proof of completion of such  
 55 | training to the department before the license may be renewed.

56 | The department may waive the firearms training requirement if:

57 |       1. The applicant provides proof that he or she is  
 58 | currently certified as a law enforcement officer or correctional  
 59 | officer under the Criminal Justice Standards and Training  
 60 | Commission and has completed law enforcement firearms  
 61 | requalification training annually during the previous 2 years of  
 62 | the licensure period;

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

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

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

74 |       493.6115 Weapons and firearms.—

75 |       (16) If the criminal history record check program  
 76 | referenced in s. 493.6108(1) is inoperable, the department may  
 77 | issue a temporary "G" license on a case-by-case basis, provided  
 78 | that the applicant has met all statutory requirements for the

79 issuance of a temporary "G" license as specified in subsection  
 80 (12), excepting the criminal history record check stipulated  
 81 there; provided, that the department requires that the licensed  
 82 employer of the applicant conduct a criminal history record  
 83 check of the applicant pursuant to standards set forth ~~in rule~~  
 84 by the department, and provide to the department an affidavit  
 85 containing such information and statements as required by the  
 86 department, including a statement that the criminal history  
 87 record check did not indicate the existence of any criminal  
 88 history that would prohibit licensure. Failure to properly  
 89 conduct such a check, or knowingly providing incorrect or  
 90 misleading information or statements in the affidavit  
 91 constitutes grounds for disciplinary action against the licensed  
 92 agency, including revocation of license.

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

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

101 (1) The program must:

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

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

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

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

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

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

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

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

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

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

130 (b) Promotion of environmental awareness and responsible

131 resource stewardship in agricultural or urban communities.

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

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

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

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

146 573.1201 Certificates of exemption.—

147 ~~(1) The department may adopt procedures pursuant to which~~  
148 ~~certificates of exemption will be issued to producers or~~  
149 ~~handlers.~~

150 Section 7. Paragraph (a) of subsection (3) of section  
151 583.181, Florida Statutes, is amended to read:

152 583.181 Disposal of dead poultry and hatchery residue;  
153 inspection and quarantine; penalties.—

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

156 (a) To prescribe ~~promulgate rules prescribing~~ satisfactory

157 facilities and equipment for the handling, destruction, and  
 158 disposal of dead birds and hatchery residue so as to prevent the  
 159 spread or dissemination of diseases of poultry.

160 Section 8. Section 593.107, Florida Statutes, is amended  
 161 to read:

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

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

PCB RCEC 16-04

Redraft - A

2016

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