

## CHAPTER 2016-9

### Committee Substitute for Senate Bill No. 1032

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

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

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

487.064 Antisiphon requirements for irrigation systems.—

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

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

487.071 Enforcement, inspection, sampling, and analysis.—

(7)

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

Section 3. Section 570.921, Florida Statutes, is amended to read:

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

(1) The program must:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

573.1201 Certificates of exemption.—

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

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

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

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

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

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

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

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

Section 7. This act shall take effect on the 60th day after adjournment sine die of the session of the Legislature in which enacted.

Approved by the Governor February 24, 2016.

Filed in Office Secretary of State February 24, 2016.