

1                                   A bill to be entitled  
2           An act relating to the Department of Agriculture and  
3           Consumer Services; creating s. 15.0521, F.S.;  
4           designating tupelo honey as the official state honey;  
5           amending s. 482.111, F.S.; revising requirements for  
6           issuance of an original pest control operator's  
7           certificate; amending s. 482.1562, F.S.; revising the  
8           date by which an application for recertification of a  
9           limited certification for urban landscape commercial  
10          fertilizer application is required; removing  
11          provisions imposing late renewal charges; providing a  
12          grace period for such recertification; amending s.  
13          500.03, F.S.; revising the definition of the term  
14          "food" and defining the term "vehicle" for purposes of  
15          the Florida Food Safety Act; amending s. 500.10, F.S.;  
16          providing that food transported under specified  
17          conditions or containing ingredients for which there  
18          is inadequate information is deemed adulterated;  
19          providing conditions under which a dietary supplement  
20          or its ingredients is deemed adulterated; amending s.  
21          500.11, F.S.; providing that a food is deemed  
22          misbranded for noncompliance with specified allergen  
23          information; creating s. 500.90, F.S.; preempting to  
24          the department the regulatory authority for the use  
25          and sale of polystyrene products by certain entities;  
26          amending s. 570.07, F.S.; revising powers and duties

27 of the department to include sponsoring events;  
28 authorizing the department to secure letters of  
29 patent, copyrights, and trademarks on work products  
30 and to engage in acts accordingly; amending s. 570.30,  
31 F.S.; removing electronic data processing and  
32 management information systems support for the  
33 department as a power and duty of the Division of  
34 Administration; amending s. 570.441, F.S.; authorizing  
35 the use of funds in the Pest Control Trust Fund for  
36 activities of the Division of Agricultural  
37 Environmental Services; amending s. 570.53, F.S.;  
38 revising duties of the Division of Marketing and  
39 Development to remove enforcement of provisions  
40 relating to dealers in agricultural products; amending  
41 s. 570.544, F.S.; revising duties of the director of  
42 the Division of Consumer Services to include  
43 enforcement of provisions relating to dealers in  
44 agricultural products and grain dealers; creating s.  
45 570.68, F.S.; authorizing the Commissioner of  
46 Agriculture to create an Office of Agriculture  
47 Technology Services; providing duties of the office;  
48 amending s. 570.681, F.S.; revising legislative  
49 findings with regard to the Florida Agriculture Center  
50 and Horse Park; amending s. 570.685, F.S.;  
51 authorizing, rather than requiring, the department to  
52 provide administrative and staff support services,

53 meeting space, and record storage for the Florida  
54 Agriculture Center and Horse Park Authority; amending  
55 s. 571.24, F.S.; providing legislative intent for the  
56 Florida Agricultural Promotional Campaign to serve as  
57 a marketing program for certain purposes; removing an  
58 obsolete provision relating to the designation of a  
59 Division of Marketing and Development employee as a  
60 member of the Advertising Interagency Coordinating  
61 Council; amending s. 571.27, F.S.; removing obsolete  
62 provisions relating to the authority of the department  
63 to adopt rules for entering into contracts with  
64 advertising agencies for services which are directly  
65 related to the Florida Agricultural Promotional  
66 Campaign; amending s. 571.28, F.S.; revising  
67 provisions specifying membership criteria of the  
68 Florida Agricultural Promotional Campaign Advisory  
69 Council; amending s. 576.041, F.S.; revising the  
70 frequency of fertilizer sales reports and the payment  
71 of related inspection fees; providing for such reports  
72 and fees to be made through the department's website;  
73 revising the time by which such reports must be made  
74 and fees must be paid; creating s. 580.0365, F.S.;  
75 providing legislative intent with regard to regulation  
76 of commercial feed and feedstuff; preempting to the  
77 department the regulatory authority for commercial  
78 feed and feedstuff; amending s. 581.181, F.S.;

79 providing applicability of provisions requiring  
80 treatment or destruction of infested or infected  
81 plants and plant products; creating s. 581.189, F.S.;  
82 creating the Grove Removal or Vector Elimination  
83 (GROVE) Program within the department to provide cost-  
84 share funding for the removal or destruction of  
85 abandoned citrus groves; providing definitions;  
86 providing program procedures and requirements;  
87 directing the department to adopt rules; specifying  
88 that funding for the program is contingent upon  
89 specific legislative appropriation; amending s.  
90 582.01, F.S.; revising definitions; amending s.  
91 582.02, F.S.; revising legislative findings and intent  
92 with regard to the purpose of soil and water  
93 conservation districts; repealing s. 582.03, F.S.,  
94 relating to the consequences of soil erosion;  
95 repealing s. 582.04, F.S., relating to appropriate  
96 corrective methods for conservation, development, and  
97 use of soil and water resources; repealing s. 582.05,  
98 F.S., relating to legislative policy for the  
99 conservation, development, and use of such resources;  
100 amending s. 582.055, F.S.; revising provisions  
101 relating to powers and duties of the department with  
102 regard to soil and water conservation districts;  
103 amending s. 582.06, F.S.; revising provisions relating  
104 to powers and duties of the Soil and Water

105 Conservation Council; repealing s. 582.08, F.S.,  
106 relating to additional powers of the department with  
107 regard to soil and water conservation districts;  
108 repealing s. 582.09, F.S., relating to the employment  
109 of an administrative officer of soil and water  
110 conservation; amending s. 582.16, F.S.; revising  
111 provisions for modifying soil and water conservation  
112 district boundaries; repealing s. 582.17, F.S.,  
113 relating to the presumption that districts are  
114 established in accordance with specified provisions;  
115 amending s. 582.20, F.S.; revising provisions relating  
116 to powers and duties of soil and water conservation  
117 districts and district supervisors; repealing s.  
118 582.21, F.S., relating to the adoption of land use  
119 regulations by soil and water conservation district  
120 supervisors; repealing s. 582.22, F.S., relating to  
121 the content of land use regulations adopted by soil  
122 and water conservation district supervisors; repealing  
123 s. 582.23, F.S., relating to the performance of work  
124 under land use regulations adopted by soil and water  
125 conservation district supervisors; repealing s.  
126 582.24, F.S., relating to the board of adjustment;  
127 repealing s. 582.25, F.S., relating to rules of  
128 procedure of the board of adjustment; repealing s.  
129 582.26, F.S., relating to petitions to the board of  
130 adjustment for land use variances; amending s. 582.29,

131 F.S.; revising provisions directing state agencies and  
132 other governmental subdivisions of the state that  
133 manage publicly owned lands to cooperate with soil and  
134 water conservation district supervisors in  
135 implementing district programs and operations;  
136 repealing s. 582.331, F.S., relating to the  
137 establishment of a watershed improvement district  
138 within a soil and water conservation district;  
139 repealing s. 582.34, F.S., relating to the petition  
140 for establishment of a watershed improvement district  
141 within a soil and water conservation district;  
142 repealing s. 582.35, F.S., relating to notice and  
143 hearing on petition for establishment of a watershed  
144 improvement district within a soil and water  
145 conservation district and determination of need for  
146 such district; repealing s. 582.36, F.S., relating to  
147 determination of feasibility and referendum for a  
148 watershed improvement district within a soil and water  
149 conservation district; repealing s. 582.37, F.S.,  
150 relating to consideration of referendum results for  
151 determination of feasibility and declaration of  
152 organization of a watershed improvement district  
153 within a soil and water conservation district;  
154 repealing s. 582.38, F.S., relating to organization of  
155 a watershed improvement district within a soil and  
156 water conservation district; repealing s. 582.39,

157 F.S., relating to establishment of a watershed  
158 improvement district situated in more than one soil  
159 and water conservation district; repealing s. 582.40,  
160 F.S., relating to change of district boundaries  
161 including additions, detachments, transfers of land  
162 from one district to another, and change of district  
163 name; repealing s. 582.41, F.S., relating to the board  
164 of directors of a soil and water conservation  
165 district; repealing s. 582.42, F.S., relating to  
166 officers, agents, and employees of a watershed  
167 improvement district within a soil and water  
168 conservation district and issuance of surety bonds by,  
169 and annual audits of, such district; repealing s.  
170 582.43, F.S., relating to the power of a watershed  
171 improvement district within a soil and water  
172 conservation district to levy taxes and to construct,  
173 operate, improve, and maintain works of improvement in  
174 such district and to obtain necessary lands or  
175 interests therein; repealing s. 582.44, F.S., relating  
176 to procedures for a watershed improvement district  
177 within a soil and water conservation district to levy  
178 taxes; repealing s. 582.45, F.S., relating to the  
179 fiscal power of the board of directors of a watershed  
180 improvement district within a soil and water  
181 conservation district to issue bonds; repealing s.  
182 582.46, F.S., relating to additional powers of the

183 board of directors of a watershed improvement district  
184 within a soil and water conservation district;  
185 repealing s. 582.47, F.S., relating to the authority  
186 of a watershed improvement district within a soil and  
187 water conservation district to coordinate work with  
188 flood control districts; repealing s. 582.48, F.S.,  
189 relating to discontinuance of a watershed improvement  
190 district within a soil and water conservation  
191 district; repealing s. 582.49, F.S., relating to  
192 discontinuance of a soil and water conservation  
193 district; repealing s. 589.26, F.S., relating to the  
194 authority of the Florida Forest Service to dedicate  
195 and reserve state park lands for public use; amending  
196 s. 595.402, F.S.; defining terms relating to school  
197 food and nutrition service programs; conforming a  
198 reference to changes made by the act; amending s.  
199 595.404, F.S.; revising powers and duties of the  
200 department with regard to school food and nutrition  
201 programs; authorizing the department to conduct,  
202 supervise, and administer a farmers' market nutrition  
203 program for certain purposes; directing the department  
204 to collect and publish data on food purchased through  
205 specified programs; authorizing the department to  
206 enter into agreements with federal and state agencies  
207 to implement nutrition programs; amending s. 595.405,  
208 F.S.; revising requirements for school nutrition



209 | programs; providing for breakfast meals to be  
210 | available to all students in schools that serve  
211 | specified grade levels; conforming a reference to  
212 | changes made by the act; amending s. 595.406, F.S.;  
213 | renaming the "Florida Farm Fresh Schools Program" as  
214 | the "Florida Farm to School Program"; authorizing the  
215 | department to establish by rule a recognition program  
216 | for certain sponsors; amending s. 595.407, F.S.;  
217 | revising provisions of the children's summer nutrition  
218 | program to include certain schools that serve  
219 | specified grade levels; revising provisions relating  
220 | to the duration of the program; authorizing school  
221 | districts to exclude holidays and weekends; amending  
222 | s. 595.408, F.S.; conforming references to changes  
223 | made by the act; amending s. 595.501, F.S.; requiring  
224 | entities to complete corrective action plans required  
225 | by the department or a federal agency to be in  
226 | compliance with school food and nutrition service  
227 | programs; amending s. 595.601, F.S.; correcting a  
228 | cross-reference; amending s. 601.31, F.S.; requiring  
229 | citrus inspectors to be licensed and certified by the  
230 | department rather than by the United States Department  
231 | of Agriculture; amending s. 604.21, F.S.; revising  
232 | affidavit requirements for an agricultural products  
233 | dealer who files a complaint against another such  
234 | dealer; amending s. 604.33, F.S.; removing provisions

235 requiring grain dealers to submit monthly reports;  
 236 authorizing, rather than requiring, the department to  
 237 make at least one spot check annually of each grain  
 238 dealer; providing an effective date.

239

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

241

242 Section 1. Section 15.0521, Florida Statutes, is created  
 243 to read:

244 15.0521 Official state honey.—Tupelo honey is designated  
 245 as the official Florida state honey.

246 Section 2. Subsections (1) and (7) of section 482.111,  
 247 Florida Statutes, are amended to read:

248 482.111 Pest control operator's certificate.—

249 (1) The department shall issue a pest control operator's  
 250 certificate to each individual who qualifies under this chapter.  
 251 Before issuance of an original certificate, an individual must  
 252 complete an application for examination, pay the examination fee  
 253 required under s. 482.141, and pass the examination. Before  
 254 engaging in pest control work, each certified operator must be  
 255 certified as provided in this section. ~~Application must be made~~  
 256 ~~and the issuance fee must be paid to the department for the~~  
 257 ~~original certificate within 60 days after the postmark date of~~  
 258 ~~written notification of passing the examination. During a period~~  
 259 ~~of 30 calendar days following expiration of the 60-day period,~~  
 260 ~~an original certificate may be issued; however, a late issuance~~

261 ~~charge of \$50 shall be assessed and must be paid in addition to~~  
 262 ~~the issuance fee. An original certificate may not be issued~~  
 263 ~~after expiration of the 30-day period, without reexamination.~~

264 (7) The fee for ~~issuance of an original certificate or the~~  
 265 renewal of a certificate ~~thereof~~ shall be set by the department  
 266 but may not be more than \$150 or less than \$75; however, until  
 267 rules setting these fees are adopted by the department, the  
 268 issuance fee and the renewal fee shall each be \$75.

269 Section 3. Subsections (5) and (6) of section 482.1562,  
 270 Florida Statutes, are amended to read:

271 482.1562 Limited certification for urban landscape  
 272 commercial fertilizer application.—

273 (5) An application for recertification must be made 4  
 274 years after the date of issuance ~~at least 90 days before the~~  
 275 ~~expiration~~ of the current certificate and be accompanied by:

276 (a) Proof of having completed the 4 classroom hours of  
 277 acceptable continuing education required under subsection (4).

278 (b) A recertification fee set by the department in an  
 279 amount of at least \$25 but not more than \$75. Until the fee is  
 280 set by rule, the fee for certification is \$25.

281 (6) ~~A late renewal charge of \$50 per month shall be~~  
 282 ~~assessed 30 days after the date the application for~~  
 283 ~~recertification is due and must be paid in addition to the~~  
 284 ~~renewal fee. Unless timely recertified, a certificate~~  
 285 ~~automatically expires 90 days after the recertification date.~~  
 286 Upon expiration, or after a grace period that does not exceed 30

287 days after expiration, a certificate may be issued only upon  
 288 reapplying in accordance with subsection (3).

289 Section 4. Paragraph (n) of subsection (1) of section  
 290 500.03, Florida Statutes, is amended, and paragraph (cc) is  
 291 added to that subsection, to read:

292 500.03 Definitions; construction; applicability.—

293 (1) For the purpose of this chapter, the term:

294 (n) "Food" includes:

- 295 1. Articles used for food or drink for human consumption;
- 296 2. Chewing gum;
- 297 3. Articles used for components of any such article; ~~and~~
- 298 4. Articles for which health claims are made, which claims  
 299 are approved by the Secretary of the United States Department of  
 300 Health and Human Services and which claims are made in  
 301 accordance with s. 343(r) of the federal act, and which are not  
 302 considered drugs solely because their labels or labeling contain  
 303 health claims; and

304 5. Dietary supplements as defined in 21 U.S.C. s.  
 305 321(ff)(1) and (2).

306  
 307 The term includes any raw, cooked, or processed edible  
 308 substance; ice; any beverage; or any ingredient used, intended  
 309 for use, or sold for human consumption.

310 (cc) "Vehicle" means a mode of transportation or mobile  
 311 carrier used to transport food from one location to another,  
 312 including, but not limited to, carts, cycles, vans, trucks,

313 cars, trains and railway transport, and aircraft and watercraft  
314 transport.

315 Section 5. Paragraph (f) of subsection (1) of section  
316 500.10, Florida Statutes, is amended, and subsection (5) is  
317 added to that section, to read:

318 500.10 Food deemed adulterated.—A food is deemed to be  
319 adulterated:

320 (1)

321 (f) If it has been produced, prepared, packed,  
322 transported, or held under insanitary conditions whereby it may  
323 become contaminated with filth, or whereby it may have been  
324 rendered diseased, unwholesome, or injurious to health;

325 (5) If a dietary supplement or its ingredients present a  
326 significant risk of illness or injury due to:

327 (a) The recommended or suggested conditions of use on the  
328 product labeling;

329 (b) The failure to provide conditions of use on the  
330 product labeling; or

331 (c) An ingredient for which there is inadequate  
332 information to provide reasonable assurance that such ingredient  
333 does not present a significant risk of illness or injury.

334 Section 6. Paragraph (m) of subsection (1) of section  
335 500.11, Florida Statutes, is amended to read:

336 500.11 Food deemed misbranded.—

337 (1) A food is deemed to be misbranded:

338 (m) If it is offered for sale and its label or labeling

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339 does not comply with the requirements of 21 U.S.C. s. 343(q) or  
340 21 U.S.C. s. 343(w) pertaining to nutrition or allergen  
341 information.

342 Section 7. Section 500.90, Florida Statutes, is created to  
343 read:

344 500.90 Regulation of polystyrene products preempted to  
345 department.—The regulation of the use or sale of polystyrene  
346 products by entities regulated under chapter 500 is preempted to  
347 the department. This preemption does not apply to local  
348 ordinances enacted before January 1, 2016.

349 Section 8. Paragraph (c) of subsection (20) of section  
350 570.07, Florida Statutes, is amended, and subsection (44) is  
351 added to that section, to read:

352 570.07 Department of Agriculture and Consumer Services;  
353 functions, powers, and duties.—The department shall have and  
354 exercise the following functions, powers, and duties:

355 (20)

356 (c) To sponsor events, trade breakfasts, luncheons, and  
357 dinners and distribute promotional materials and favors in  
358 connection with meetings, conferences, and conventions of  
359 dealers, buyers, food editors, and merchandising executives that  
360 will assist in the promotion and marketing of Florida's  
361 agricultural and agricultural business products to the consuming  
362 public.

363

364 The department is authorized to receive and expend donations

365 contributed by private persons for the purpose of covering costs  
366 associated with the above described activities.

367 (44) The department may, in its own name:

368 (a) Perform all things necessary to secure letters of  
369 patent, copyrights, and trademarks on any work products of the  
370 department and enforce its rights therein.

371 (b) License, lease, assign, or otherwise give written  
372 consent to any person, firm, or corporation for the manufacture  
373 or use of such department work products on a royalty basis or  
374 for such other consideration as the department deems proper.

375 (c) Take any action necessary, including legal action, to  
376 protect such department work products against improper or  
377 unlawful use or infringement.

378 (d) Enforce the collection of any sums due to the  
379 department for the manufacture or use of such department work  
380 products by another party.

381 (e) Sell any of such department work products and execute  
382 all instruments necessary to consummate any such sale.

383 (f) Do all other acts necessary and proper for the  
384 execution of powers and duties conferred upon the department by  
385 this section, including adopting rules, as necessary, in order  
386 to administer this section.

387 Section 9. Subsection (5) of section 570.30, Florida  
388 Statutes, is amended to read:

389 570.30 Division of Administration; powers and duties.—The  
390 Division of Administration shall render services required by the

391 department and its other divisions, or by the commissioner in  
 392 the exercise of constitutional and cabinet responsibilities,  
 393 that can advantageously and effectively be centralized and  
 394 administered and any other function of the department that is  
 395 not specifically assigned by law to some other division. The  
 396 duties of this division include, but are not limited to:

397 ~~(5) Providing electronic data processing and management~~  
 398 ~~information systems support for the department.~~

399 Section 10. Subsection (4) is added to section 570.441,  
 400 Florida Statutes, to read:

401 570.441 Pest Control Trust Fund.—

402 (4) In addition to the uses authorized under subsection  
 403 (2), moneys collected or received by the department under  
 404 chapter 482 may be used to carry out the provisions of s.  
 405 570.44. This subsection expires June 30, 2019.

406 Section 11. Subsection (2) of section 570.53, Florida  
 407 Statutes, is amended to read:

408 570.53 Division of Marketing and Development; powers and  
 409 duties.—The powers and duties of the Division of Marketing and  
 410 Development include, but are not limited to:

411 ~~(2) Enforcing the provisions of ss. 604.15-604.34, the~~  
 412 ~~dealers in agricultural products law, and ss. 534.47-534.53.~~

413 Section 12. Subsection (2) of section 570.544, Florida  
 414 Statutes, is amended to read:

415 570.544 Division of Consumer Services; director; powers;  
 416 processing of complaints; records.—



417 (2) The director shall supervise, direct, and coordinate  
418 the activities of the division and shall, under the direction of  
419 the department, enforce the provisions of ss. 604.15-604.34 and  
420 chapters 472, 496, 501, 507, 525, 526, 527, 531, 539, 559, 616,  
421 and 849.

422 Section 13. Section 570.68, Florida Statutes, is created  
423 to read:

424 570.68 Office of Agriculture Technology Services.—The  
425 commissioner may create an Office of Agriculture Technology  
426 Services under the supervision of a senior manager exempt under  
427 s. 110.205 in the Senior Management Service. The office shall  
428 provide electronic data processing and agency information  
429 technology services to support and facilitate the functions,  
430 powers, and duties of the department.

431 Section 14. Section 570.681, Florida Statutes, is amended  
432 to read:

433 570.681 Florida Agriculture Center and Horse Park;  
434 legislative findings.—It is the finding of the Legislature that:  
435 ~~(1) Agriculture is an important industry to the State of~~  
436 ~~Florida, producing over \$6 billion per year while supporting~~  
437 ~~over 230,000 jobs.~~

438 (1)(2) Equine and other agriculture-related industries  
439 ~~will~~ strengthen and benefit each other with the establishment of  
440 a statewide agriculture and horse facility.

441 (2)(3) The A Florida Agriculture Center and Horse Park  
442 provides ~~will provide~~ Florida with a unique tourist experience

443 for visitors and residents, thus generating taxes and additional  
 444 dollars for the state.

445 ~~(3)-(4)~~ Promoting the Florida Agriculture Center and Horse  
 446 Park as a joint effort between the state and the private sector  
 447 allows ~~will allow~~ this facility to use ~~utilize~~ experts and  
 448 generate revenue from many areas to ensure the success of this  
 449 facility.

450 Section 15. Paragraphs (b) and (c) of subsection (4) of  
 451 section 570.685, Florida Statutes, are amended to read:

452 570.685 Florida Agriculture Center and Horse Park  
 453 Authority.—

454 (4) The authority shall meet at least semiannually and  
 455 elect a chair, a vice chair, and a secretary for 1-year terms.

456 (b) The department may provide ~~shall be responsible for~~  
 457 ~~providing~~ administrative and staff support services relating to  
 458 the meetings of the authority and may ~~shall~~ provide suitable  
 459 space in the offices of the department for the meetings and the  
 460 storage of records of the authority.

461 (c) In conducting its meetings, the authority shall use  
 462 accepted rules of procedure. The secretary shall keep a complete  
 463 record of the proceedings of each meeting, which shows ~~record~~  
 464 ~~shall show~~ the names of the members present and the actions  
 465 taken. These records shall be kept on file with the department,  
 466 and such records and other documents regarding matters within  
 467 the jurisdiction of the authority shall be subject to inspection  
 468 by members of the authority.

469 Section 16. Section 571.24, Florida Statutes, is amended  
 470 to read:

471 571.24 Purpose; duties of the department.—The purpose of  
 472 this part is to authorize the department to establish and  
 473 coordinate the Florida Agricultural Promotional Campaign. The  
 474 Legislature intends for the Florida Agricultural Promotional  
 475 Campaign to serve as a marketing program to promote Florida  
 476 agricultural commodities, value-added products, and  
 477 agricultural-related businesses and not a food safety or  
 478 traceability program. The duties of the department shall  
 479 include, but are not limited to:

480 (1) Developing logos and authorizing the use of logos as  
 481 provided by rule.

482 (2) Registering participants.

483 (3) Assessing and collecting fees.

484 (4) Collecting rental receipts for industry promotions.

485 (5) Developing in-kind advertising programs.

486 (6) Contracting with media representatives for the purpose  
 487 of dispersing promotional materials.

488 (7) Assisting the representative of the department who  
 489 serves on the Florida Agricultural Promotional Campaign Advisory  
 490 Council.

491 ~~(8) Designating a division employee to be a member of the~~  
 492 ~~Advertising Interagency Coordinating Council.~~

493 (8) ~~(9)~~ Adopting rules pursuant to ss. 120.536(1) and  
 494 120.54 to implement the provisions of this part.

495        (9)~~(10)~~ Enforcing and administering the provisions of this  
496 part, including measures ensuring that only Florida agricultural  
497 or agricultural based products are marketed under the "Fresh  
498 From Florida" or "From Florida" logos or other logos of the  
499 Florida Agricultural Promotional Campaign.

500        Section 17. Section 571.27, Florida Statutes, is amended  
501 to read:

502        571.27 Rules.—The department is authorized to adopt rules  
503 that implement, make specific, and interpret the provisions of  
504 this part,~~including rules for entering into contracts with~~  
505 ~~advertising agencies for services which are directly related to~~  
506 ~~the Florida Agricultural Promotional Campaign. Such rules shall~~  
507 ~~establish the procedures for negotiating costs with the offerors~~  
508 ~~of such advertising services who have been determined by the~~  
509 ~~department to be qualified on the basis of technical merit,~~  
510 ~~creative ability, and professional competency. Such~~  
511 ~~determination of qualifications shall also include consideration~~  
512 ~~of the provisions in s. 287.055(3), (4), and (5).~~ The department  
513 is further authorized to determine, by rule, the logos or  
514 product identifiers to be depicted for use in advertising,  
515 publicizing, and promoting the sale of Florida agricultural  
516 products or agricultural-based products in the Florida  
517 Agricultural Promotional Campaign. The department may also adopt  
518 rules consistent ~~not inconsistent~~ with the provisions of this  
519 part as in its judgment may be necessary for participant  
520 registration, renewal of registration, classes of membership,

521 application forms, and ~~as well as~~ other forms and enforcement  
 522 measures ensuring compliance with this part.

523 Section 18. Subsection (1) of section 571.28, Florida  
 524 Statutes, is amended to read:

525 571.28 Florida Agricultural Promotional Campaign Advisory  
 526 Council.—

527 (1) ORGANIZATION.—There is ~~hereby~~ created within the  
 528 department the Florida Agricultural Promotional Campaign  
 529 Advisory Council, to consist of 15 members appointed by the  
 530 Commissioner of Agriculture for 4-year staggered terms. The  
 531 membership shall include: 13 ~~six~~ members representing  
 532 agricultural producers, shippers, ~~or~~ packers, ~~three members~~  
 533 ~~representing agricultural~~ retailers, ~~two members representing~~  
 534 agricultural associations, and wholesalers ~~one member~~  
 535 ~~representing a wholesaler~~ of agricultural products, one member  
 536 representing consumers, and one member representing the  
 537 department. Initial appointment of the council members shall be  
 538 four members to a term of 4 years, four members to a term of 3  
 539 years, four members to a term of 2 years, and three members to a  
 540 term of 1 year.

541 Section 19. Subsection (2) of section 576.041, Florida  
 542 Statutes, is amended to read:

543 576.041 Inspection fees; records.—

544 (2) ~~Before the distribution of a fertilizer,~~ Each licensee  
 545 shall ~~make application upon a form provided by the department to~~  
 546 report to the department quarterly ~~monthly~~ the tonnage of

547 fertilizer sold in the state and pay ~~make payment of~~ the  
 548 inspection fee. The continuance of a license is conditioned upon  
 549 the applicant's:

550 (a) Maintaining records and a bookkeeping system that will  
 551 accurately indicate the tonnage of fertilizer sold by the  
 552 licensee; and

553 (b) Consent to examination of the business records and  
 554 books by the department to verify ~~for a verification of~~ the  
 555 correctness of tonnage reports and the payment of inspection  
 556 fees. Tonnage reports ~~of sales~~ and payment of inspection fees  
 557 ~~fee~~ shall be made quarterly through the department's website or  
 558 ~~monthly~~ on forms provided ~~furnished~~ by the department and  
 559 submitted within 30 days after the close of the reporting period  
 560 ~~on or before the fifteenth day of the month succeeding the month~~  
 561 ~~covered by the reports.~~

562 Section 20. Section 580.0365, Florida Statutes, is created  
 563 to read:

564 580.0365 Preemption of regulatory authority over  
 565 commercial feed and feedstuff.—It is the intent of the  
 566 Legislature to eliminate duplication of regulation over  
 567 commercial feed and feedstuff. Notwithstanding any other  
 568 provision of law, the authority to regulate, inspect, sample,  
 569 and analyze any commercial feed or feedstuff distributed in this  
 570 state and to exercise the powers and duties of regulation in  
 571 this chapter, including the power to assess any penalties  
 572 provided for violation of this chapter, is preempted to the

573 department.

574 Section 21. Subsection (3) is added to section 581.181,  
575 Florida Statutes, to read:

576 581.181 Notice of infection of plants; destruction.—

577 (3) This section does not apply to plants or plant  
578 products infested with pests or noxious weeds that are  
579 determined to be widely established within the state and are not  
580 specifically regulated under rules adopted by the department or  
581 under any other provision of law.

582 Section 22. Effective upon this act becoming a law,  
583 section 581.189, Florida Statutes, is created to read:

584 581.189 Grove Removal or Vector Elimination (GROVE)  
585 Program.—

586 (1) There is created within the Department of Agriculture  
587 and Consumer Services the Grove Removal or Vector Elimination  
588 (GROVE) Program, a cost-sharing program for the removal or  
589 destruction of abandoned citrus groves to eliminate the material  
590 harboring the citrus disease Huanglongbing, also known as citrus  
591 greening, and the vectors that spread the disease.

592 (2) As used in this section, the term:

593 (a) "Abandoned citrus grove" means a citrus grove that has  
594 minimal or no production value and is no longer economically  
595 viable as a commercial citrus grove.

596 (b) "Applicant" means a person who owns an abandoned  
597 citrus grove.

598 (c) "Eligible costs" means the costs, incurred after an

599 application is selected for funding, of the removal or  
600 destruction of citrus trees and the elimination of any citrus  
601 greening vectors, as described in the removal or destruction  
602 plan in the funded application.

603 (d) "Funded application" means an application selected for  
604 cost-share funding pursuant to this section and rules adopted by  
605 the department.

606 (e) "Program" means the Grove Removal or Vector  
607 Elimination (GROVE) Program.

608 (3) The department shall adopt by rule the standards to be  
609 used in reviewing and ranking applications for cost-share  
610 funding under the program based on the following factors:

611 (a) The length of time the citrus groves have been  
612 abandoned.

613 (b) Whether the citrus groves are located within a Citrus  
614 Health Management Area.

615 (c) The proximity of the abandoned citrus groves to other  
616 citrus groves currently in production.

617 (4) An applicant may submit multiple applications for the  
618 program but is eligible only for a maximum of \$125,000 in  
619 program cost-share funding per fiscal year. The department may  
620 award to each funded application a cost-share of up to 80  
621 percent of eligible costs. The total amount of cost-share  
622 allocated under the program in each fiscal year may not exceed  
623 the amount specifically appropriated for the program for that  
624 fiscal year.



625       (5) An applicant seeking cost-share funding under the  
626 program must submit an application to the department by a date  
627 specified by department rule. The application must include, at a  
628 minimum:

629       (a) The applicant's plan to remove or destroy citrus trees  
630 and any citrus greening vectors in the abandoned citrus grove.

631       (b) An affidavit from the applicant certifying that all  
632 information contained in the application is true and correct.

633       (c) All information specified by department rule that is  
634 necessary for the department to determine eligibility for the  
635 program and to rank applications.

636       (6) If the department determines that an application is  
637 incomplete, it may require the applicant to submit additional  
638 information within 10 days after such determination.

639       (7) Each fiscal year, the department shall review all  
640 complete applications received in accordance with subsection (5)  
641 and shall rank each complete application based on the factors  
642 specified in subsection (3). Before selecting an application for  
643 funding, the department must conduct an inspection of the  
644 abandoned citrus grove that is the subject of the application.

645       (8) The department may deny an application pursuant to  
646 chapter 120 for failure to comply with this section and  
647 department rules.

648       (9) If an application is selected for funding, the  
649 applicant must initiate and complete the removal or destruction  
650 of the citrus trees identified in the application within the

651 time specified by department rule. The applicant's failure to  
652 initiate and complete the removal or destruction of the  
653 identified citrus trees within such time results in the  
654 forfeiture of his or her cost-share funding. If an applicant's  
655 cost-share funding is forfeited, the department shall notify the  
656 next eligible applicant, based on its ranking of applicants for  
657 the fiscal year, of the availability of cost-share funding. Such  
658 applicant, upon acceptance, may be awarded cost-share funding  
659 pursuant to this section, subject to available program funds.

660 (10) Upon completion of the scope of work identified in  
661 the funded application, the applicant must present proof of  
662 payment of removal or destruction costs to the department. Upon  
663 receipt of satisfactory proof of payment and satisfactory proof  
664 of the removal or destruction of the trees identified in the  
665 funded application, the department may issue payment to the  
666 applicant for the previously approved cost-share amount.

667 (11) The department may adopt rules to implement and  
668 administer this section, including an application process and  
669 requirements, an application-ranking process consistent with the  
670 factors specified in subsection (3), and a cost-share funding  
671 administration process.

672 (12) The award of funds under the program for each fiscal  
673 year is subject to specific legislative appropriation.

674 Section 23. Section 582.01, Florida Statutes, is amended  
675 to read:

676 582.01 Definitions.—~~As wherever used or referred to in~~

677 | this chapter, the term ~~unless a different meaning clearly~~  
678 | ~~appears from the context:~~

679 |       ~~(3) (a) "Department" means the Department of Agriculture~~  
680 | ~~and Consumer Services.~~

681 |       (1) (e) "Commissioner" means the Commissioner of  
682 | Agriculture.

683 |       ~~(2) (b)~~ "Council" means the Soil and Water Conservation  
684 | Council.

685 |       (3) "Department" means the Department of Agriculture and  
686 | Consumer Services.

687 |       (4) (1) "District" ~~or "soil conservation district"~~ or "soil  
688 | and water conservation district" means a governmental  
689 | subdivision of this state, and a body corporate and politic,  
690 | organized in accordance with the provisions of this chapter, for  
691 | the purpose, with the powers, and subject to the provisions set  
692 | forth in this chapter. The term "district" ~~or "soil conservation~~  
693 | ~~district,"~~ when used in this chapter, means and includes a "soil  
694 | and water conservation district." All districts ~~heretofore or~~  
695 | ~~hereafter~~ organized under this chapter shall be known as soil  
696 | and water conservation districts and shall have all the powers  
697 | set out herein.

698 |       (5) (7) "Due notice," in addition to notice required  
699 | pursuant to the provisions of chapter 120, means notice  
700 | published at least twice, with an interval of at least 7 days  
701 | between the two publication dates, in a newspaper or other  
702 | publication of general circulation within the appropriate area

703 ~~er, if no such publication of general circulation be available,~~  
 704 ~~by posting at a reasonable number of conspicuous places within~~  
 705 ~~the appropriate area, such posting to include, where possible,~~  
 706 ~~posting at public places where it may be customary to post~~  
 707 ~~notices concerning county or municipal affairs generally. At any~~  
 708 ~~hearing held pursuant to such notice, at the time and place~~  
 709 ~~designated in such notice, adjournment may be made from time to~~  
 710 ~~time without the necessity of renewing such notice for such~~  
 711 ~~adjourned dates.~~

712 (6)~~(5)~~ "Land occupier" or "occupier of land" means a  
 713 ~~includes any person, other than the owner, who possesses shall~~  
 714 ~~be in possession of~~ any lands lying within a district organized  
 715 under the provisions of this chapter, whether as lessee, renter,  
 716 tenant, or otherwise.

717 (7)~~(4)~~ "Landowner" or "owner of land" means a ~~includes any~~  
 718 person who holds ~~shall hold~~ legal or equitable title to any  
 719 lands lying within a district organized under the provisions of  
 720 this chapter.

721 (8)~~(6)~~ "Qualified elector" means a ~~includes any person~~  
 722 qualified to vote in general elections under the constitution  
 723 and laws ~~statutes~~ of this state.

724 (9)~~(2)~~ "Supervisor" means a member ~~one of the members~~ of  
 725 the governing body of a district who is, elected in accordance  
 726 with the provisions of this chapter.

727 ~~(8)~~ ~~"Administrative officer" means the administrative~~  
 728 ~~officer of soil and water conservation created by s. 582.09.~~

729 Section 24. Section 582.02, Florida Statutes, is amended  
 730 to read:

731 582.02 Legislative policy and findings; purpose of  
 732 districts ~~Lands a basic asset of state.-~~

733 (1) It is the policy of the Legislature to promote the  
 734 appropriate and efficient use of soil and water resources,  
 735 protect water quality, prevent floodwater and sediment damage,  
 736 preserve wildlife, protect public lands, and protect and promote  
 737 the health, safety, and general welfare of the people of this  
 738 state.

739 (2) The Legislature finds that the farm, forest, and  
 740 grazing lands; green spaces; recreational areas; and natural  
 741 areas of the state are among the basic assets of the state and  
 742 the conservation ~~preservation~~ of these lands is necessary to  
 743 protect and promote the health, safety, and general welfare of  
 744 its people ~~and is in the public interest; improper land use~~  
 745 ~~practices have caused and have contributed to, and are now~~  
 746 ~~causing and contributing to a progressively more serious erosion~~  
 747 ~~of the farm and grazing lands of this state by fire, wind and~~  
 748 ~~water; the breaking of natural grass, plant, and forest cover~~  
 749 ~~has interfered with the natural factors of soil stabilization,~~  
 750 ~~causing loosening of soil and exhaustion of humus, and~~  
 751 ~~developing a soil condition that favors erosion; the top soil is~~  
 752 ~~being burned, washed and blown out of fields and pastures; there~~  
 753 ~~has been an accelerated washing of sloping fields; these~~  
 754 ~~processes of erosion by fire, wind and water speed up with~~

755 ~~removal of absorptive topsoil, causing exposure of less~~  
756 ~~absorptive and less protective but more erosive subsoil; failure~~  
757 ~~by any landowner or occupier to conserve the soil and control~~  
758 ~~erosion upon her or his lands causes destruction by burning,~~  
759 ~~washing and blowing of soil and water from her or his lands onto~~  
760 ~~other lands and makes the conservation of soil and control~~  
761 ~~erosion of such other lands difficult or impossible.~~

762 (3) The Legislature further finds that to ensure the  
763 conservation of the state's farm, forest, and grazing lands;  
764 green spaces; recreational areas; and natural areas, and to  
765 conserve, protect, and use soil and water resources, it is  
766 necessary that appropriate land and water resources protection  
767 practices be implemented.

768 (4) The purpose of the soil and water conservation  
769 districts is to provide assistance, guidance, and education to  
770 landowners, land occupiers, the agricultural industry, and the  
771 general public in implementing land and water resource  
772 protection practices. The Legislature intends for soil and water  
773 conservation districts to work in conjunction with federal,  
774 state, and local agencies in all matters that implement the  
775 provisions of this chapter.

776 Section 25. Sections 582.03, 582.04, and 582.05, Florida  
777 Statutes, are repealed.

778 Section 26. Subsections (5) through (9) are added to  
779 section 582.055, Florida Statutes, to read:

780 582.055 Powers and duties of the Department of Agriculture

781 and Consumer Services; rules.—

782 (5) The department may offer such assistance as may be  
 783 appropriate to the supervisors of soil and water conservation  
 784 districts and facilitate communication and cooperation between  
 785 districts.

786 (6) The department may seek the cooperation and assistance  
 787 of any federal, state, or county agencies in the work of such  
 788 districts, including the receipt and expenditure of state,  
 789 federal, and other funds or contributions.

790 (7) The department may disseminate information throughout  
 791 the state concerning the activities, research, and programs of  
 792 the soil and water conservation districts and encourage the  
 793 formation of such districts in areas where their organization is  
 794 desirable.

795 (8) The department may create or dissolve a soil and water  
 796 conservation district pursuant to the provisions of this  
 797 chapter.

798 (9) The department may adopt rules, as necessary, to  
 799 implement the provisions of this chapter.

800 Section 27. Subsection (2) of section 582.06, Florida  
 801 Statutes, is amended to read:

802 582.06 Soil and Water Conservation Council; powers and  
 803 duties.—

804 (2) POWERS AND DUTIES; MEETINGS; PROCEDURES; RECORDS.—

805 (a) The meetings, powers and duties, procedures, and  
 806 recordkeeping of the Soil and Water Conservation Council shall

807 be conducted pursuant to s. 570.232.

808 (b) The council shall accept and review requests for  
809 creating or dissolving soil and water conservation districts and  
810 shall, by a majority vote, recommend, by resolution, to the  
811 commissioner that a district be created or dissolved pursuant to  
812 the request, or that the request be denied.

813 (c) When requested by the Governor or a district, the  
814 council shall provide a recommendation to the Governor whether  
815 to remove a supervisor for neglect of duty or malfeasance in  
816 office only after notice, hearing, and thorough review.

817 Section 28. Sections 582.08 and 582.09, Florida Statutes,  
818 are repealed.

819 Section 29. Section 582.16, Florida Statutes, is amended  
820 to read:

821 582.16 Change of district boundaries ~~Addition of territory~~  
822 ~~to district or removal of territory therefrom.~~ Requests for  
823 increasing or reducing the boundaries of ~~Petitions for including~~  
824 ~~additional territory or removing territory within~~ an existing  
825 district may be filed with the department ~~Department of~~  
826 ~~Agriculture and Consumer Services,~~ and the department shall  
827 follow the proceedings provided for in this chapter to create a  
828 district ~~in the case of petitions to organize a district shall~~  
829 ~~be observed in the case of petitions for such inclusion or~~  
830 ~~removal. The department shall prescribe the form for such~~  
831 ~~petition, which shall be as nearly as may be in the form~~  
832 ~~prescribed in this chapter for petitions to organize a district.~~



833 ~~If the petition is signed by a majority of the landowners of~~  
834 ~~such area, no referendum need be held. In referenda upon~~  
835 ~~petitions for such inclusions or removals, all owners of land~~  
836 ~~lying within the proposed area to be added or removed shall be~~  
837 ~~eligible to vote.~~

838 Section 30. Section 582.17, Florida Statutes, is repealed.

839 Section 31. Section 582.20, Florida Statutes, is amended  
840 to read:

841 582.20 Powers of districts and supervisors.—A soil and  
842 water conservation district organized under the provisions of  
843 this chapter shall constitute a governmental subdivision of this  
844 state, and a public body corporate and politic, exercising  
845 public powers, and such district and the supervisors thereof,  
846 shall have the following powers, in addition to others granted  
847 in other sections of this chapter:

848 (1) To conduct surveys, studies investigations, and  
849 research relating to the character of soil and water resources  
850 and erosion and floodwater and sediment damages, to the  
851 conservation, development and utilization of soil and water  
852 resources and the disposal of water, and to the preventive and  
853 control measures and works of improvement needed; to publish and  
854 disseminate the results of such surveys, studies investigations,  
855 or research, and related information; and to disseminate  
856 information concerning such preventive and control measures and  
857 works of improvement; provided, however, that in order to avoid  
858 duplication of research activities, no district shall initiate

859 ~~any research program except in cooperation with the government~~  
860 ~~of this state or any of its agencies, or with the United States~~  
861 ~~or any of its agencies;~~

862       (2) To conduct agricultural best management practices  
863 demonstration ~~demonstrational~~ projects and projects for the  
864 conservation, protection, and restoration of soil and water  
865 resources:

866       (a) Within the district's boundaries;

867       (b) Within another district's boundaries, subject to the  
868 other district's approval;

869       (c) In areas within the district's boundaries, territory  
870 ~~within another district's boundaries subject to the other~~  
871 ~~district's approval, or territory~~ not contained within any  
872 district's boundaries on lands owned or controlled by this state  
873 or any of its agencies, with the cooperation of the agency  
874 administering and having jurisdiction thereof; or

875       (d) On, and on any other lands within the district's  
876 boundaries, ~~territory~~ within another district's boundaries  
877 subject to the other district's approval, or ~~territory~~ not  
878 contained within any district's boundaries upon obtaining the  
879 consent of the owner or occupier ~~and occupiers~~ of the ~~such~~ lands  
880 or the necessary rights or interests in such lands, ~~in order to~~  
881 ~~demonstrate by example the means, methods, and measures by which~~  
882 ~~soil and soil resources may be conserved, and soil erosion in~~  
883 ~~the form of soil blowing and soil washing may be prevented and~~  
884 ~~controlled, and works of improvement for flood prevention or the~~

885 ~~conservation, development and utilization of soil and water~~  
886 ~~resources, and the disposal of water may be carried out;~~  
887 ~~(3) To carry out preventive and control measures and works~~  
888 ~~of improvement for flood prevention or the conservation,~~  
889 ~~development and utilization of soil and water resources, and the~~  
890 ~~disposal of water within the district's boundaries, territory~~  
891 ~~within another district's boundaries subject to the other~~  
892 ~~district's approval, or territory not contained within any~~  
893 ~~district's boundaries, including, but not limited to,~~  
894 ~~engineering operations, methods of cultivation, the growing of~~  
895 ~~vegetation, changes in use of land, and the measures listed in~~  
896 ~~s. 582.04 on lands owned or controlled by this state or any of~~  
897 ~~its agencies, with the cooperation of the agency administering~~  
898 ~~and having jurisdiction thereof, and on any other lands within~~  
899 ~~the district's boundaries, territory within another district's~~  
900 ~~boundaries subject to the other district's approval, or~~  
901 ~~territory not contained within any district's boundaries upon~~  
902 ~~obtaining the consent of the owner and the occupiers of such~~  
903 ~~lands or the necessary rights or interests in such lands;~~  
904 ~~(3)-(4) To cooperate, or enter into agreements with, and~~  
905 ~~within the limits of appropriations duly made available to it by~~  
906 ~~law, to furnish financial or other aid to, any special district,~~  
907 ~~municipality, county, water management district, state or~~  
908 ~~federal agency, governmental or otherwise, or ~~any~~ owner or~~  
909 ~~occupier of lands within the district's boundaries, ~~territory~~~~  
910 ~~within another district's boundaries subject to the other~~

911 district's approval, or ~~territory~~ not contained within any  
 912 district's boundaries in furtherance of the purposes and  
 913 provisions of this chapter ~~, in the carrying on of erosion~~  
 914 ~~control or prevention operations and works of improvement for~~  
 915 ~~flood prevention or the conservation, development and~~  
 916 ~~utilization, of soil and water resources and the disposal of~~  
 917 ~~water within the district's boundaries, territory within another~~  
 918 ~~district's boundaries subject to the other district's approval,~~  
 919 ~~or territory not contained within any district's boundaries,~~  
 920 ~~subject to such conditions as the supervisors may deem necessary~~  
 921 ~~to advance the purposes of this chapter;~~

922 (4)-(5) To obtain options upon and to acquire, by purchase,  
 923 exchange, lease, gift, grant, bequest, devise or otherwise, any  
 924 property, real or personal, or rights or interests therein; to  
 925 maintain, administer, and improve any properties acquired, to  
 926 receive income from such properties and to expend such income in  
 927 carrying out the purposes and provisions of this chapter; and to  
 928 sell, lease, or otherwise dispose of any of its property or  
 929 interests therein in furtherance of the purposes and ~~the~~  
 930 provisions of this chapter;

931 (5)-(6) To make available, on such terms as it shall  
 932 prescribe, to any owner or occupier of lands ~~landowners and~~  
 933 ~~occupiers~~ within the district's boundaries, ~~territory~~ within  
 934 another district's boundaries subject to the other district's  
 935 approval, or ~~territory~~ not contained within any district's  
 936 boundaries, agricultural and engineering machinery and

937 equipment, ~~fertilizer, seeds and seedlings,~~ and such other  
938 material or equipment, that ~~as~~ will assist such landowners and  
939 occupiers to carry on operations upon their lands for the  
940 conservation and protection of soil and water resources ~~and for~~  
941 ~~the prevention or control of soil erosion and for flood~~  
942 ~~prevention or the conservation, development and utilization, of~~  
943 ~~soil and water resources and the disposal of water;~~

944 (6)~~(7)~~ To construct, improve, operate and maintain such  
945 structures as may be necessary or convenient for the performance  
946 of any of the operations authorized in this chapter;

947 (7)~~(8)~~ To provide, or assist in providing, training and  
948 education programs that further the purposes and provisions of  
949 this chapter ~~develop comprehensive plans for the conservation of~~  
950 ~~soil and water resources and for the control and prevention of~~  
951 ~~soil erosion and for flood prevention or the conservation,~~  
952 ~~development and utilization of soil and water resources, and the~~  
953 ~~disposal of water within the district's boundaries, territory~~  
954 ~~within another district's boundaries subject to the other~~  
955 ~~district's approval, or territory not contained within any~~  
956 ~~district's boundaries, which plans shall specify in such detail~~  
957 ~~as may be possible the acts, procedures, performances, and~~  
958 ~~avoidances which are necessary or desirable for the effectuation~~  
959 ~~of such plans, including the specification of engineering~~  
960 ~~operations, methods of cultivation, the growing of vegetation,~~  
961 ~~cropping programs, tillage practices, and changes in use of~~  
962 ~~land; control of artesian wells; and to publish such plans and~~

963 ~~information and bring them to the attention of owners and~~  
964 ~~occupiers of lands within the district's boundaries, territory~~  
965 ~~within another district's boundaries subject to the other~~  
966 ~~district's approval, or territory not contained within any~~  
967 ~~district's boundaries;~~

968 ~~(9) To take over, by purchase, lease, or otherwise, and to~~  
969 ~~administer any soil-conservation, erosion-control, erosion-~~  
970 ~~prevention project, or any project for flood prevention or for~~  
971 ~~the conservation, development and utilization of soil and water~~  
972 ~~resources, and the disposal of water, located within the~~  
973 ~~district's boundaries, territory within another district's~~  
974 ~~boundaries subject to the other district's approval, or~~  
975 ~~territory not contained within any district's boundaries,~~  
976 ~~undertaken by the United States or any of its agencies, or by~~  
977 ~~this state or any of its agencies; to manage as agent of the~~  
978 ~~United States or any of its agencies, or of the state or any of~~  
979 ~~its agencies, any soil-conservation, erosion-control, erosion-~~  
980 ~~prevention, or any project for flood prevention or for the~~  
981 ~~conservation, development, and utilization of soil and water~~  
982 ~~resources, and the disposal of water within the district's~~  
983 ~~boundaries, territory within another district's boundaries~~  
984 ~~subject to the other district's approval, or territory not~~  
985 ~~contained within any district's boundaries; to act as agent for~~  
986 ~~the United States, or any of its agencies, or for the state or~~  
987 ~~any of its agencies, in connection with the acquisition,~~  
988 ~~construction, operation or administration of any soil-~~

989 ~~conservation, erosion-control, erosion-prevention, or any~~  
 990 ~~project for flood-prevention or for the conservation,~~  
 991 ~~development and utilization of soil and water resources, and the~~  
 992 ~~disposal of water within the district's boundaries, territory~~  
 993 ~~within another district's boundaries subject to the other~~  
 994 ~~district's approval, or territory not contained within any~~  
 995 ~~district's boundaries; to accept donations, gifts, and~~  
 996 ~~contributions in money, services, materials, or otherwise, from~~  
 997 ~~the United States or any of its agencies, or from this state or~~  
 998 ~~any of its agencies, or from others, and to use or expend such~~  
 999 ~~moneys, services, materials or other contributions in carrying~~  
 1000 ~~on its operations;~~

1001 (8)~~(10)~~ To sue and be sued in the name of the district; to  
 1002 have a seal, which seal shall be judicially noticed; to have  
 1003 perpetual succession unless terminated as provided in this  
 1004 chapter; to make and execute contracts and other instruments  
 1005 necessary or convenient to the exercise of its powers; upon a  
 1006 majority vote of the supervisors of the district, to borrow  
 1007 money and to execute promissory notes and other evidences of  
 1008 indebtedness in connection therewith, and to pledge, mortgage,  
 1009 and assign the income of the district and its personal property  
 1010 as security therefor, the notes and other evidences of  
 1011 indebtedness to be general obligations only of the district and  
 1012 in no event to constitute an indebtedness for which the faith  
 1013 and credit of the state or any of its revenues are pledged;~~to~~  
 1014 ~~make, amend, and repeal rules and regulations not inconsistent~~

1015 ~~with this chapter to carry into effect its purposes and powers.~~  
1016 ~~(11) As a condition to the extending of any benefits under~~  
1017 ~~this chapter to, or the performance of work upon, any lands not~~  
1018 ~~owned or controlled by this state or any of its agencies, the~~  
1019 ~~supervisors may require contributions in money, services,~~  
1020 ~~materials, or otherwise to any operations conferring such~~  
1021 ~~benefits, and may require landowners and occupiers to enter into~~  
1022 ~~and perform such agreements or covenants as to the permanent use~~  
1023 ~~of such lands as will tend to prevent or control erosion and~~  
1024 ~~prevent floodwater and sediment damages thereon;~~  
1025 (9) To use, in coordination with the applicable county or  
1026 counties, the services of the county agricultural agents and the  
1027 facilities of their offices, if practicable and feasible. The  
1028 supervisors may also employ additional permanent and temporary  
1029 staff, as needed, and determine their qualifications, duties,  
1030 and compensation. The supervisors may delegate to the chair, to  
1031 one or more supervisors, or to employees such powers and duties  
1032 as they may deem proper, consistent with the provisions of this  
1033 chapter. The supervisors shall furnish to the department, upon  
1034 request, copies of rules, orders, contracts, forms, and other  
1035 documents that the district has adopted or used, and any other  
1036 information concerning the district's activities, that the  
1037 department may require in the performance of its duties under  
1038 this chapter;  
1039 (10) To adopt rules to implement the provisions of this  
1040 chapter; and



1041        (11) To request that the Governor remove a supervisor for  
 1042 neglect of duty or malfeasance in office by adoption of a  
 1043 resolution at a public meeting. If the district believes there  
 1044 is a need for a review of the request, the district may request  
 1045 that the council, by resolution, review its request to the  
 1046 Governor and provide the Governor with a recommendation.

1047  
 1048 ~~(12) Any provision~~ No provisions with respect to the  
 1049 acquisition, operation, or disposition of property by public  
 1050 bodies of this state does not apply ~~shall be applicable~~ to a  
 1051 district organized under this chapter unless specifically so  
 1052 stated by hereunder unless the Legislature ~~shall specifically so~~  
 1053 ~~state~~. The property and property rights of every kind and nature  
 1054 acquired by any district organized under the provisions of this  
 1055 chapter are ~~shall be~~ exempt from state, county, and other  
 1056 taxation.

1057        Section 32. Sections 582.21, 582.22, 582.23, 582.24,  
 1058 582.25, and 582.26, Florida Statutes, are repealed.

1059        Section 33. Section 582.29, Florida Statutes, is amended  
 1060 to read:

1061        582.29 State agencies to cooperate.—Agencies of this state  
 1062 that ~~which shall~~ have jurisdiction over, or are ~~be~~ charged with,  
 1063 the administration of any state-owned lands, and of any county,  
 1064 or other governmental subdivision of the state, that ~~which shall~~  
 1065 have jurisdiction over, or are ~~be~~ charged with the  
 1066 administration of, any county-owned or other publicly owned

1067 ~~lands, lying within the boundaries of any district organized~~  
 1068 ~~under this chapter, the boundaries of another district subject~~  
 1069 ~~to that district's approval, or territory not contained within~~  
 1070 ~~the boundaries of any district organized under this chapter,~~  
 1071 shall cooperate to the fullest extent with the supervisors of  
 1072 such districts in the implementation ~~effectuation~~ of programs  
 1073 and operations undertaken by the supervisors under the  
 1074 provisions of this chapter. The supervisors of such districts  
 1075 shall be given free access to enter and perform work upon such  
 1076 publicly owned lands. ~~The provisions of land use regulations~~  
 1077 ~~adopted shall be in all respects observed by the agencies~~  
 1078 ~~administering such publicly owned lands.~~

1079 Section 34. Sections 582.331, 582.34, 582.35, 582.36,  
 1080 582.37, 582.38, 582.39, 582.40, 582.41, 582.42, 582.43, 582.44,  
 1081 582.45, 582.46, 582.47, 582.48, 582.49, Florida Statutes, are  
 1082 repealed.

1083 Section 35. Section 589.26, Florida Statutes, is repealed.

1084 Section 36. Subsections (4) and (5) of section 595.402,  
 1085 Florida Statutes, are renumbered as subsections (5) and (6),  
 1086 respectively, and new subsections (4), (7), and (8) are added to  
 1087 that section, to read:

1088 595.402 Definitions.—As used in this chapter, the term:

1089 (4) "School breakfast program" means a program authorized  
 1090 by section 4 of the Child Nutrition Act of 1966, as amended, and  
 1091 administered by the department.

1092 (7) "Summer nutrition program" means one or more of the

1093 programs authorized under 42 U.S.C. s. 1761.

1094 (8) "Universal school breakfast program" means a program  
 1095 that makes breakfast available at no cost to all students  
 1096 regardless of their household income.

1097 Section 37. Section 595.404, Florida Statutes, is amended  
 1098 to read:

1099 595.404 School food and other nutrition programs ~~service~~  
 1100 ~~program~~; powers and duties of the department.—The department has  
 1101 the following powers and duties:

1102 (1) To conduct, supervise, and administer the program that  
 1103 will be carried out using federal or state funds, or funds from  
 1104 any other source.

1105 (2) To conduct, supervise, and administer a farmers'  
 1106 market nutrition program to provide participants in the Special  
 1107 Supplemental Nutrition Program for Women, Infants, and Children  
 1108 (WIC) with locally grown fruits and vegetables that will be  
 1109 carried out using federal or state funds, or funds from any  
 1110 other source.

1111 (3)~~(2)~~ To fully cooperate with the United States  
 1112 Government and its agencies and instrumentalities so that the  
 1113 department may receive the benefit of all federal financial  
 1114 allotments and assistance possible to carry out the purposes of  
 1115 this chapter.

1116 (4)~~(3)~~ To implement and adopt by rule, as required,  
 1117 federal regulations ~~to maximize federal assistance for the~~  
 1118 ~~program.~~

1119        (5)~~(4)~~ To act as agent of, or contract with, the Federal  
 1120 Government, another state agency, any county or municipal  
 1121 government, or sponsor for the administration of the program,  
 1122 including the distribution of funds provided by the Federal  
 1123 Government to support the program.

1124        (6)~~(5)~~ To provide ~~make a reasonable effort to ensure that~~  
 1125 ~~any school designated as a "severe need school" receives the~~  
 1126 highest rate of reimbursement to which it is entitled under 42  
 1127 U.S.C. s. 1773 for each breakfast meal served.

1128        (7)~~(6)~~ To develop and propose legislation necessary to  
 1129 implement the program, encourage the development of innovative  
 1130 school food and nutrition services, and expand participation in  
 1131 the program.

1132        (8)~~(7)~~ To annually allocate among the sponsors, as  
 1133 applicable, funds provided from the school breakfast supplement  
 1134 in the General Appropriations Act based on each district's total  
 1135 number of free and reduced-price breakfast meals served.

1136        (9)~~(8)~~ To employ such persons as are necessary to perform  
 1137 its duties under this chapter.

1138        (10)~~(9)~~ To adopt rules covering the administration,  
 1139 operation, and enforcement of the program and the farmers'  
 1140 market nutrition program, as well as to implement the provisions  
 1141 of this chapter.

1142        (11)~~(10)~~ To adopt and implement an appeal process by rule,  
 1143 as required by federal regulations, for applicants and  
 1144 participants under the programs implemented pursuant to this

1145 chapter program, notwithstanding ss. 120.569 and 120.57-120.595.

1146 (12)~~(11)~~ To assist, train, and review each sponsor in its  
1147 implementation of the program.

1148 (13)~~(12)~~ To advance funds from the program's annual  
1149 appropriation to a summer nutrition program sponsor ~~sponsors~~,  
1150 when requested, in order to implement the provisions of this  
1151 chapter and in accordance with federal regulations.

1152 (14) To collect data on food purchased through the  
1153 programs defined and described in ss. 595.402(3) and 595.406,  
1154 and to publish that data annually.

1155 (15) To enter into agreements with federal or state  
1156 agencies to coordinate and cooperate in the implementation of  
1157 nutrition programs.

1158 Section 38. Section 595.405, Florida Statutes, is amended  
1159 to read:

1160 595.405 School nutrition program requirements ~~for school~~  
1161 ~~districts and sponsors.~~-

1162 (1) Each ~~school~~ district school board shall consider the  
1163 recommendations of the district school superintendent and adopt  
1164 policies to provide for an appropriate food and nutrition  
1165 ~~service~~ program for students consistent with federal law and  
1166 department rules.

1167 (2) Each ~~school~~ district school board shall implement  
1168 school breakfast programs that make breakfast meals available to  
1169 all students in each ~~elementary~~ school that serves any  
1170 combination of grades kindergarten through 5. ~~Universal school~~

1171 ~~breakfast programs shall be offered in schools in which 80~~  
 1172 ~~percent or more of the students are eligible for free or~~  
 1173 ~~reduced-price meals. Each school shall, to the maximum extent~~  
 1174 ~~practicable, make breakfast meals available to students at an~~  
 1175 ~~alternative site location, which may include, but need not be~~  
 1176 ~~limited to, alternative breakfast options as described in~~  
 1177 ~~publications of the Food and Nutrition Service of the United~~  
 1178 ~~States Department of Agriculture for the federal School~~  
 1179 ~~Breakfast Program.~~

1180 (3) Each ~~school~~ district school board must annually set  
 1181 prices for breakfast meals at rates that, combined with federal  
 1182 reimbursements and state allocations, are sufficient to defray  
 1183 costs of school breakfast programs without requiring allocations  
 1184 from the district's operating funds, except if the district  
 1185 school board approves lower rates.

1186 ~~(4) Each school district is encouraged to provide~~  
 1187 ~~universal, free school breakfast meals to all students in each~~  
 1188 ~~elementary, middle, and high school. Each school district shall~~  
 1189 ~~approve or disapprove a policy, after receiving public testimony~~  
 1190 ~~concerning the proposed policy at two or more regular meetings,~~  
 1191 ~~which makes universal, free school breakfast meals available to~~  
 1192 ~~all students in each elementary, middle, and high school in~~  
 1193 ~~which 80 percent or more of the students are eligible for free~~  
 1194 ~~or reduced-price meals.~~

1195 (4)-(5) Each elementary, middle, and high school operating  
 1196 a breakfast program shall make a breakfast meal available if a

1197 student arrives at school on the school bus less than 15 minutes  
 1198 before the first bell rings and shall allow the student at least  
 1199 15 minutes to eat the breakfast.

1200 (5) Each district school board is encouraged to provide  
 1201 universal, free school breakfast meals to all students in each  
 1202 elementary, middle, and high school. A universal school  
 1203 breakfast program shall be implemented in each school in which  
 1204 80 percent or more of the students are eligible for free or  
 1205 reduced-price meals, unless the district school board, after  
 1206 considering public testimony at two or more regularly scheduled  
 1207 board meetings, decides not to implement such a program in such  
 1208 schools.

1209 (6) To increase school breakfast and universal school  
 1210 breakfast program participation, each district school board  
 1211 must, to the maximum extent practicable, make breakfast meals  
 1212 available to students through alternative service models as  
 1213 described in publications of the Food and Nutrition Service of  
 1214 the United States Department of Agriculture for the federal  
 1215 School Breakfast Program.

1216 (7) ~~(6)~~ Each ~~school~~ district school board shall annually  
 1217 provide ~~to all students in each elementary, middle, and high~~  
 1218 ~~school~~ information prepared by the district's food service  
 1219 administration regarding available ~~its~~ school breakfast  
 1220 programs. The information shall be communicated through school  
 1221 announcements and ~~written~~ notices sent to all parents.

1222 (8) ~~(7)~~ A ~~school~~ district school board may operate a

1223 breakfast program providing for food preparation at the school  
 1224 site or in central locations with distribution to designated  
 1225 satellite schools, or any combination thereof.

1226 ~~(8) Each sponsor shall complete all corrective action~~  
 1227 ~~plans required by the department or a federal agency to be in~~  
 1228 ~~compliance with the program.~~

1229 Section 39. Section 595.406, Florida Statutes, is amended  
 1230 to read:

1231 595.406 Florida Farm to School ~~Fresh Schools~~ Program.—

1232 (1) In order to implement the Florida Farm to School ~~Fresh~~  
 1233 ~~Schools~~ Program, the department shall develop policies  
 1234 pertaining to school food services which encourage:

1235 (a) Sponsors to buy fresh and high-quality foods grown in  
 1236 this state when feasible.

1237 (b) Farmers in this state to sell their products to  
 1238 sponsors, school districts, and schools.

1239 (c) Sponsors to demonstrate a preference for competitively  
 1240 priced organic food products.

1241 (d) Sponsors to make reasonable efforts to select foods  
 1242 based on a preference for those that have maximum nutritional  
 1243 content.

1244 (2) The department shall provide outreach, guidance, and  
 1245 training to sponsors, schools, school food service directors,  
 1246 parent and teacher organizations, and students about the benefit  
 1247 of fresh food products from farms in this state.

1248 (3) The department may recognize sponsors who purchase at



1249 least 10 percent of the food they serve from the Florida Farm to  
 1250 School Program.

1251 Section 40. Subsection (2) of section 595.407, Florida  
 1252 Statutes, is amended to read:

1253 595.407 Children's summer nutrition program.—

1254 (2) Each school district shall develop a plan to sponsor  
 1255 or operate a summer nutrition program to operate sites in the  
 1256 school district as follows:

1257 (a) Within 5 miles of at least one ~~elementary~~ school that  
 1258 serves any combination of grades kindergarten through 5 at which  
 1259 50 percent or more of the students are eligible for free or  
 1260 reduced-price school meals ~~and~~ for the duration of 35  
 1261 ~~consecutive~~ days between the end of the school year and the  
 1262 beginning of the next school year. School districts may exclude  
 1263 holidays and weekends.

1264 (b) Within 10 miles of each ~~elementary~~ school that serves  
 1265 any combination of grades kindergarten through 5 at which 50  
 1266 percent or more of the students are eligible for free or  
 1267 reduced-price school meals, except as operated pursuant to  
 1268 paragraph (a).

1269 Section 41. Section 595.408, Florida Statutes, is amended  
 1270 to read:

1271 595.408 Food ~~Commodity~~ distribution services; department  
 1272 responsibilities and functions.—

1273 (1)(a) The department shall conduct, supervise, and  
 1274 administer all food ~~commodity~~ distribution services that will be

1275 carried on using federal or state funds, or funds from any other  
 1276 source, or food ~~commodities~~ received and distributed from the  
 1277 United States or any of its agencies.

1278 (b) The department shall determine the benefits each  
 1279 applicant or recipient of assistance is entitled to receive  
 1280 under this chapter, provided that each applicant or recipient is  
 1281 a resident of this state and a citizen of the United States or  
 1282 is an alien lawfully admitted for permanent residence or  
 1283 otherwise permanently residing in the United States under color  
 1284 of law.

1285 (2) The department shall cooperate fully with the United  
 1286 States Government and its agencies and instrumentalities so that  
 1287 the department may receive the benefit of all federal financial  
 1288 allotments and assistance possible to carry out the purposes of  
 1289 this chapter.

1290 (3) The department may:

1291 (a) Accept any duties with respect to food ~~commodity~~  
 1292 distribution services as are delegated to it by an agency of the  
 1293 Federal Government or any state, county, or municipal  
 1294 government.

1295 (b) Act as agent of, or contract with, the federal  
 1296 government, state government, or any county or municipal  
 1297 government in the administration of food ~~commodity~~ distribution  
 1298 services to secure the benefits of any public assistance that is  
 1299 available from the federal government or any of its agencies,  
 1300 and in the distribution of funds received from the federal

1301 government, state government, or any county or municipal  
 1302 government for food ~~commodity~~ distribution services within the  
 1303 state.

1304 (c) Accept from any person or organization all offers of  
 1305 personal services, food ~~commodities~~, or other aid or assistance.

1306 (4) This chapter does not limit, abrogate, or abridge the  
 1307 powers and duties of any other state agency.

1308 Section 42. Section 595.501, Florida Statutes, is amended  
 1309 to read:

1310 595.501 Penalties.—

1311 (1) When a corrective action plan is issued by the  
 1312 department or a federal agency, each sponsor is required to  
 1313 complete the corrective action plan to be in compliance with the  
 1314 program.

1315 (2) Any person ~~or~~ sponsor ~~or school district~~ that  
 1316 violates any provision of this chapter or any rule adopted  
 1317 thereunder or otherwise does not comply with the program is  
 1318 subject to a suspension or revocation of their agreement, loss  
 1319 of reimbursement, or a financial penalty in accordance with  
 1320 federal or state law, or both. This section does not restrict  
 1321 the applicability of any other law.

1322 Section 43. Section 595.601, Florida Statutes, is amended  
 1323 to read:

1324 595.601 Food and Nutrition Services Trust Fund.—Chapter  
 1325 99-37, Laws of Florida, recreated the Food and Nutrition  
 1326 Services Trust Fund to record revenue and disbursements of

1327 Federal Food and Nutrition funds received by the department as  
 1328 authorized in ss. 595.404 and 595.408 ~~s. 595.405~~.

1329 Section 44. Section 601.31, Florida Statutes, is amended  
 1330 to read:

1331 601.31 Citrus inspectors; employment.—The Department of  
 1332 Agriculture may annually ~~in each year~~ employ as many citrus  
 1333 fruit inspectors for a such period ~~or periods,~~ not to exceed  
 1334 ~~exceeding~~ 1 year, as the Department of Agriculture deems ~~shall~~  
 1335 ~~deem~~ necessary for the effective enforcement of the citrus fruit  
 1336 laws of this state. All persons authorized to inspect and  
 1337 certify ~~to~~ the maturity and grade of citrus fruit shall be  
 1338 governed by such laws ~~in the discharge of their duties as such~~  
 1339 ~~inspectors by the provisions of law~~ and by the rules adopted by  
 1340 the Department of Citrus and the Department of Agriculture and  
 1341 shall perform their duties under the direction and supervision  
 1342 of the Department of Agriculture. All such citrus inspectors  
 1343 ~~appointed for the enforcement of this chapter~~ shall be persons  
 1344 ~~who are duly~~ licensed or certified by the ~~United States~~  
 1345 Department of Agriculture ~~as citrus fruit inspectors~~.

1346 Section 45. Paragraphs (b) and (d) of subsection (1) and  
 1347 subsection (2) of section 604.21, Florida Statutes, are amended  
 1348 to read:

1349 604.21 Complaint; investigation; hearing.—

1350 (1)

1351 (b) To be considered timely filed, a complaint together  
 1352 with any required affidavit ~~affidavits or notarizations~~ must be

1353 received by the department within 6 months after the date of  
1354 sale by electronic transmission, facsimile, regular mail,  
1355 certified mail, or private delivery service. If the complaint is  
1356 sent by a service other than electronic mail or facsimile, the  
1357 mailing shall be postmarked or dated on or before the 6-month  
1358 deadline to be accepted as timely filed.

1359 (d) A person, partnership, corporation, or other business  
1360 entity filing a complaint shall submit to the department the  
1361 following documents: a three completed complaint affidavit  
1362 ~~affidavits~~ on a form provided by the department with an original  
1363 signature of an owner, partner, general partner, or corporate  
1364 officer and an original notarization ~~on each affidavit. If the~~  
1365 ~~complaint is filed by electronic transmission or facsimile, the~~  
1366 ~~original affidavits and original notarizations shall be filed~~  
1367 ~~with the department not later than the close of business of the~~  
1368 ~~tenth business day following the electronic transmission or~~  
1369 ~~facsimile filing.~~ Attached to the ~~each~~ complaint affidavit shall  
1370 be copies of all documents to support the complaint. Supporting  
1371 documents may be copies of invoices, bills of lading, packing or  
1372 shipping documents, demand letters, or any other documentation  
1373 to support the claim. In cases in which there are multiple  
1374 invoices being claimed, a summary list of all claimed invoices  
1375 must accompany the complaint.

1376 (2) Upon the filing of a such complaint pursuant to this  
1377 section ~~in the manner herein provided~~, the department shall  
1378 investigate the matters complained of and; ~~whereupon~~, if, in the

1379 opinion of the department, the facts contained in the complaint  
1380 warrant such action, the department shall serve notice of the  
1381 ~~filing of~~ complaint to the dealer against whom the complaint has  
1382 been filed at the last address of record. The ~~Such~~ notice shall  
1383 be accompanied by a ~~true~~ copy of the complaint. A copy of the  
1384 ~~such~~ notice and complaint shall also be served to the surety  
1385 company, if any, that provided the bond for the dealer, which  
1386 surety company shall become party to the action. The ~~Such~~ notice  
1387 ~~of the complaint~~ shall inform the dealer of a reasonable time  
1388 within which to answer the complaint by advising the department  
1389 in writing that the allegations in the complaint are admitted or  
1390 denied or that the complaint has been satisfied. The ~~Such~~ notice  
1391 shall also inform the dealer and the surety company or financial  
1392 institution of a right to a hearing on the complaint, if  
1393 requested.

1394 Section 46. Section 604.33, Florida Statutes, is amended  
1395 to read:

1396 604.33 Security requirements for grain dealers.—Each grain  
1397 dealer doing business in the state shall maintain liquid  
1398 security, in the form of grain on hand, cash, certificates of  
1399 deposit, or other nonvolatile security that can be liquidated in  
1400 10 days or less, or cash bonds, surety bonds, or letters of  
1401 credit, that have been assigned to the department and that are  
1402 conditioned to secure the faithful accounting for and payment to  
1403 the producers for grain stored or purchased, in an amount equal  
1404 to the value of grain which the grain dealer has received from

1405 grain producers for which the producers have not received  
1406 payment. The bonds must be executed by the applicant as  
1407 principal and by a surety corporation authorized to transact  
1408 business in the state. The certificates of deposit and letters  
1409 of credit must be from a recognized financial institution doing  
1410 business in the United States. ~~Each grain dealer shall report to~~  
1411 ~~the department monthly, on or before a date established by rule~~  
1412 ~~of the department, the value of grain she or he has received~~  
1413 ~~from producers for which the producers have not received payment~~  
1414 ~~and the types of transaction involved, showing the value of each~~  
1415 ~~type of transaction. The report shall also include a statement~~  
1416 ~~showing the type and amount of security maintained to cover the~~  
1417 ~~grain dealer's liability to producers.~~ The department may ~~shall~~  
1418 make at least one spot check annually of each grain dealer to  
1419 determine compliance with the requirements of this section.

1420 Section 47. Except as otherwise expressly provided in this  
1421 act and except for this section, which shall take effect upon  
1422 becoming a law, this act shall take effect July 1, 2016.