



**Environment
&
Natural Resources Council**

**March 26, 2008
9:00 AM
404 HOB**

Council Actions

**Marco Rubio
Speaker**

**Rep. Stan Mayfield
Chair**

Council Meeting Notice

HOUSE OF REPRESENTATIVES

Speaker Marco Rubio

Environment & Natural Resources Council

Start Date and Time: Wednesday, March 26, 2008 09:00 am

End Date and Time: Wednesday, March 26, 2008 12:00 pm

Location: 404 HOB

Duration: 3.00 hrs

Consideration of the following bill(s):

HB 761 Agriculture by Pickens

HB 975 Onsite Sewage Treatment and Disposal Systems by Nelson

HB 1173 Land Development Regulation by Mayfield

HB 1267 Protecting Urban and Residential Environments & Water by Nelson

Consideration of the following proposed council bill(s):

PCB ENRC 08-01 -- Energy

PCB ENRC 08-15 -- Agricultural Emergency Eradication Trust Fund

PCB ENRC 08-16 -- Reorganization of the Department of Environmental Protection

PCB ENRC 08-17 -- Marine Resources Conservation Trust Fund

Workshop on the following:

Council Recommendations for the 2008-09 Budget

Pursuant to rule 7.12, the deadline for amendments to bills on the agenda by non-appointed members shall be 6:00p.m., Tuesday, March 25, 2008.

By request of Chair Mayfield, all committee members are asked to have amendments to bills on the agenda submitted to staff by 6:00p.m., Tuesday, March 25, 2008.

NOTICE FINALIZED on 03/24/2008 16:23 by BLR

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

Summary:

Environment & Natural Resources Council

Wednesday March 26, 2008 09:00 am

HB 675 Unfavorable by Report of Committee

HB 761 Favorable with Council Substitute Yeas: 15 Nays: 0

HB 975 Favorable with Council Substitute Yeas: 14 Nays: 0

HB 1173 Temporarily Deferred

HB 1267 Favorable with Council Substitute Yeas: 13 Nays: 3

PCB ENRC 08-01 Temporarily Deferred

PCB ENRC 08-15 Favorable With Amendments Yeas: 13 Nays: 0

PCB ENRC 08-16 Favorable With Amendments Yeas: 13 Nays: 0

PCB ENRC 08-17 Favorable With Amendments Yeas: 12 Nays: 0

Council Recommendations for the 2008-09 Budget
Workshopped

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Stan Mayfield (Chair)	X		
Debbie Boyd	X		
Mary Brandenburg	X		
Faye Culp	X		
Richard Glorioso			X
Denise Grimsley	X		
Will Kendrick	X		
Paige Kreegel	X		
Rick Kriseman	X		
Richard Machek	X		
Bryan Nelson	X		
Ralph Poppell	X		
Stephen Precourt	X		
Scott Randolph	X		
Anthony Sasso III	X		
Baxter Troutman	X		
Trudi Williams	X		
Totals:	16	0	1

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

HB 675 : Resale of Tickets

Unfavorable by Report of Committee

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB
HB 761 : Agriculture

<input checked="" type="checkbox"/>	<i>Favorable with Council Substitute</i> - the strike-all amendment was adopted				
	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Debbie Boyd	X				
Mary Brandenburg	X				
Faye Culp	X				
Richard Glorioso			X		
Denise Grimsley	X				
Will Kendrick	X				
Paige Kreegel	X				
Rick Kriseman	X				
Richard Machek	X				
Bryan Nelson	X				
Ralph Poppell	X				
Stephen Precourt	X				
Scott Randolph	X				
Anthony Sasso III	X				
Baxter Troutman	X				
Trudi Williams			X		
Stan Mayfield (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Appearances:

Kurt Spitzer (Lobbyist) - Opponent
 Florida Stormwater Association
 719 E. Park Avenue
 Tallahassee FL 32301
 Phone: 561-0904

Diana Ferguson, Legislative Staff Attorney (Lobbyist) - Opponent
 FL Association of Counties
 100 S. Monroe Street
 Tallahassee FL 32308
 Phone: 922-5650

Mike Slayton, Dept. Executive Director (Lobbyist) - Opponent
 St. John's Water Management District
 525 Community College Parkway
 Palm Bay FL 32909
 Phone: 321-508-0801

Mary Ann Gosa (Lobbyist) - Proponent
 Florida Farm Bureau
 5700 SW 34th Street
 Gainesville FL 32608
 Phone: 352-374-1522

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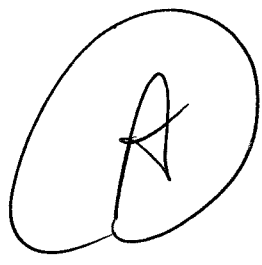
HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. **HB 761**

COUNCIL/COMMITTEE ACTION

- ADOPTED (Y/N)
- ADOPTED AS AMENDED (Y/N)
- ADOPTED W/O OBJECTION (Y/N)
- FAILED TO ADOPT (Y/N)
- WITHDRAWN (Y/N)
- OTHER



1 Council/Committee hearing bill: Environment & Natural Resources
2 Representative Pickens offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (4) of section 163.3162, Florida
7 Statutes, is amended to read:

8 163.3162 Agricultural Lands and Practices Act.--

9 (4) DUPLICATION OF REGULATION.--Except as otherwise
10 provided in this section and s. 487.051(2), and notwithstanding
11 any other law, including any provision of chapter 125 or this
12 chapter, a county may not exercise any of its powers to adopt or
13 enforce any ordinance, resolution, regulation, rule, or policy
14 to prohibit, restrict, regulate, or otherwise limit an activity
15 of a bona fide farm operation on land classified as agricultural
16 land pursuant to s. 193.461, if such activity is regulated
17 through implemented best management practices, interim measures,
18 or regulations developed by the Department of Environmental
19 Protection, the Department of Agriculture and Consumer Services,
20 or a water management district and adopted under chapter 120 as
21 part of a statewide or regional program; or if such activity is
22 expressly regulated by the United States Department of

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23 Agriculture, the United States Army Corps of Engineers, or the
24 United States Environmental Protection Agency. A county may not
25 impose an assessment, or fee for stormwater management or a
26 stormwater tax imposed by a municipal services taxing unit on
27 land classified as agricultural land pursuant to s. 193.461, if
28 the agricultural operation has an agricultural discharge permit
29 or implements best management practices developed by the
30 Department of Environmental Protection, the Department of
31 Agriculture and Consumer Services, or a water management
32 district and adopted under chapter 120 as part of a statewide or
33 regional program.

34 (a) When an activity of a farm operation takes place
35 within a wellfield protection area as defined in any wellfield
36 protection ordinance adopted by a county, and the implemented
37 best management practice, regulation, or interim measure does
38 not specifically address wellfield protection, a county may
39 regulate that activity pursuant to such ordinance. This
40 subsection does not limit the powers and duties provided for in
41 s. 373.4592 or limit the powers and duties of any county to
42 address an emergency as provided for in chapter 252.

43 (b) This subsection may not be construed to permit an
44 existing farm operation to change to a more excessive farm
45 operation with regard to traffic, noise, odor, dust, or fumes
46 where the existing farm operation is adjacent to an established
47 homestead or business on March 15, 1982.

48 (c) This subsection does not limit the powers of a
49 predominantly urbanized county with a population greater than
50 1,500,000 and more than 25 municipalities, not operating under a
51 home rule charter adopted pursuant to ss. 10, 11, and 24, Art.
52 VIII of the Constitution of 1885, as preserved by s. 6(e), Art.
53 VIII of the Constitution of 1968, which has a delegated

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54 pollution control program under s. 403.182 and includes drainage
55 basins that are part of the Everglades Stormwater Program, to
56 enact ordinances, regulations, or other measures to comply with
57 the provisions of s. 373.4592, or which are necessary to
58 carrying out a county's duties pursuant to the terms and
59 conditions of any environmental program delegated to the county
60 by agreement with a state agency.

61 (d) For purposes of this subsection, a county ordinance
62 that regulates the transportation or land application of
63 domestic wastewater residuals or other forms of sewage sludge
64 shall not be deemed to be duplication of regulation.

65 Section 2. Subsection (1) of section 205.064, Florida
66 Statutes, is amended to read:

67 205.064 Farm, aquacultural, grove, horticultural,
68 floricultural, tropical piscicultural, and tropical fish farm
69 products; certain exemptions.--

70 (1) A local business tax receipt is not required of any
71 ~~natural~~ person for the privilege of engaging in the selling of
72 farm, aquacultural, grove, horticultural, floricultural,
73 tropical piscicultural, or tropical fish farm products, or
74 products manufactured therefrom, except intoxicating liquors,
75 wine, or beer, when such products were grown or produced by such
76 ~~natural~~ person in the state.

77 Section 3. Subsection (2) and paragraph (a) of subsection
78 (3) of section 373.1395, Florida Statutes, are amended, present
79 subsection (4) is renumbered as subsection (5) and amended,
80 present subsection (5) is renumbered as subsection (6), and a
81 new subsection (4) is added to that section, to read:

82 373.1395 Limitation on liability of water management
83 district with respect to areas made available to the public for
84 recreational purposes without charge.--

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85 (2) Except as provided in subsection (5)~~(4)~~, a water
86 management district that provides the public with a park area or
87 other land for outdoor recreational purposes, or allows access
88 over district lands for recreational purposes, owes no duty of
89 care to keep that park area or land safe for entry or use by
90 others or to give warning to persons entering or going on that
91 park area or land of any hazardous conditions, structures, or
92 activities thereon. A water management district that provides
93 the public with a park area or other land for outdoor
94 recreational purposes does not, by providing that park area or
95 land, extend any assurance that such park area or land is safe
96 for any purpose, does not incur any duty of care toward a person
97 who goes on that park area or land, and is not responsible for
98 any injury to persons or property caused by an act or omission
99 of a person who goes on that park area or land. This subsection
100 does not apply if there is any charge made or usually made for
101 entering or using the park area or land, or if any commercial or
102 other activity from which profit is derived from the patronage
103 of the public is conducted on such park area or land or any part
104 thereof.

105 (3) (a) Except as provided in subsection (5)~~(4)~~, a water
106 management district that leases any land or water area to the
107 state for outdoor recreational purposes, or for access to
108 outdoor recreational purposes, owes no duty of care to keep that
109 land or water area safe for entry or use by others or to give
110 warning to persons entering or going on that land or water of
111 any hazardous conditions, structures, or activities thereon. A
112 water management district that leases a land or water area to
113 the state for outdoor recreational purposes does not, by giving
114 such lease, extend any assurance that such land or water area is
115 safe for any purpose, incur any duty of care toward a person who

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116 goes on the leased land or water area, and is not responsible
117 for any injury to persons or property caused by an act or
118 omission of a person who goes on the leased land or water area.

119 (4) Where a water management district has secured an
120 easement, or other right, that is being used for the purpose of
121 providing access through private land classified as agricultural
122 land pursuant to s. 193.461 to lands that the water management
123 district provides or makes available to the public for outdoor
124 recreational purposes, the water management district shall
125 indemnify and save harmless the owner of the agricultural land
126 from any liability arising from use of such easement by the
127 general public or by the employees and agents of the water
128 management district or other regulatory agencies. Except as
129 provided in subsection (5), a water management district that
130 enters into such easement owes no duty of care to keep that
131 access area safe for entry or use by others or to give warning
132 to persons entering or going on that access area of any
133 hazardous conditions, structures, or activities thereon. A water
134 management district that secures such an easement does not, by
135 securing the easement, extend any assurance that such access
136 area is safe for any purpose or incur any duty of care toward a
137 person who goes on the access area and is not responsible for
138 any injury to persons or property caused by an act of omission
139 of a person who uses the access area.

140 (5)-(4) This section does not relieve any water management
141 district or agricultural landowner of any liability that would
142 otherwise exist for gross negligence or a deliberate, willful,
143 or malicious injury to a person or property. This section does
144 not create or increase the liability of any water management
145 district or person beyond that which is authorized by s. 768.28.

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146 ~~(6)~~(5) The term "outdoor recreational purposes," as used
147 in this section, includes activities such as, but not limited
148 to, horseback riding, hunting, fishing, bicycling, swimming,
149 boating, camping, picnicking, hiking, pleasure driving, nature
150 study, water skiing, motorcycling, and visiting historical,
151 archaeological, scenic, or scientific sites.

152 Section 4. Section 500.70, Florida Statutes, is created to
153 read:

154 500.70 Food safety compliance relating to tomatoes.--A
155 tomato farmer, packer, repacker, or handler that implements
156 applicable good agricultural practices (GAPs) and best management
157 practices (BMPs) according to rules adopted by the department is
158 considered to have acted in good faith, with reasonable care,
159 and in compliance with state food safety microbial standards or
160 guidelines unless a violation of or noncompliance with such
161 measures can be shown through inspections.

162 Section 5. Subsection (10) of section 570.07, Florida
163 Statutes, is amended to read:

164 570.07 Department of Agriculture and Consumer Services;
165 functions, powers, and duties.--The department shall have and
166 exercise the following functions, powers, and duties:

167 (10) To act as adviser to producers and distributors, when
168 requested, and to assist them in the economical and efficient
169 distribution of their agricultural products and to encourage
170 cooperative effort among producers to gain economical and
171 efficient production of agricultural products. The department
172 may adopt by rule, pursuant to ss. 120.536(1) and 120.54,
173 comprehensive best management practices for agricultural
174 production and food safety.

175 Section 6. Subsection (5) is added to section 581.091,
176 Florida Statutes, to read:

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177 581.091 Noxious weeds and infected plants or regulated
178 articles; sale or distribution; receipt; information to
179 department; withholding information.--

180 (5) (a) Notwithstanding any other provision of state law or
181 rule, a person may obtain a special permit from the department
182 to plant *Casuarina cunninghamiana* as a windbreak for a
183 commercial citrus grove provided the plants are produced in an
184 authorized registered nursery and certified by the department as
185 being vegetatively propagated from male plants. A "commercial
186 citrus grove" means a contiguous planting of 100 or more citrus
187 trees where citrus fruit is produced for sale.

188 (b) For a five-year period, special permits authorizing a
189 person to plant *Casuarina cunninghamiana* shall be issued only as
190 part of a pilot program for fresh fruit groves in areas of
191 Indian River, St. Lucie and Martin Counties where citrus canker
192 is determined by the department to be widespread. The pilot
193 program shall be re-evaluated annually, and a comprehensive
194 review conducted in 2013. The purpose of the annual and five
195 year reviews will be to determine if the use of *Casuarina*
196 *cunninghamiana* as an agricultural pest and disease windbreak
197 poses any adverse environmental consequences. At the end of the
198 five-year pilot program, if the Noxious Weed and Invasive Plant
199 Review Committee, created by the department, the Department of
200 Environmental Protection, in consultation with a representative
201 of the citrus industry who has a *Casuarina cunninghamiana*
202 windbreak determines that the potential is low for adverse
203 environmental impacts from planting *Casuarina cunninghamiana* as
204 windbreaks, the department may, by rule, allow the use of
205 *Casuarina cunninghamiana* windbreaks for commercial citrus groves
206 in other areas of the state. If it is determined at the end of
207 the five-year pilot program additional time is needed to further

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208 evaluate *Casuarina cunninghamiana*, the department will remain
209 the lead agency.

210 (c) Each application for a special permit shall be
211 accompanied by a fee in an amount determined by the department,
212 by rule, not to exceed \$500. A special permit shall be required
213 for each noncontiguous commercial citrus grove and shall be
214 renewed every 5 years. The property owner is responsible for
215 maintaining and producing for inspection the original nursery
216 invoice with certification documentation. If ownership of the
217 property is transferred, the seller must notify the department
218 and provide the buyer with a copy of the special permit and
219 copies of all invoices and certification documentation prior to
220 the closing of the sale.

221 (d) Each application shall include a baseline survey of all
222 lands within 500 feet of the proposed *Casuarina cunninghamiana*
223 windbreak showing the location and identification to species of
224 all existing *Casuarina spp.*

225 (e) Nurseries authorized to produce *Casuarina*
226 *cunninghamiana* must obtain a special permit from the department
227 certifying that the plants have been vegetatively propagated
228 from sexually mature male source trees currently grown in the
229 state. The importation of *Casuarina cunninghamiana* from any area
230 outside the state to be used as a propagation source tree is
231 prohibited. Each male source tree must be registered by the
232 department as being a horticulturally true to type male plant
233 and be labeled with a source tree registration number. Each
234 nursery application for a special permit shall be accompanied by
235 a fee in an amount determined by the department, by rule, not to
236 exceed \$200. Special permits shall be renewed annually. The
237 department shall, by rule, set the amount of an annual fee,
238 which shall not exceed \$50, for each *Casuarina cunninghamiana*

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239 registered as a source tree. Nurseries may only sell *Casuarina*
240 *cunninghamiana* to a person with a special permit as specified in
241 paragraphs (a) and (b). The source tree registration numbers of
242 the parent plants must be documented on each invoice or other
243 certification documentation provided to the buyer.

244 (f) All *Casuarina cunninghamiana* must be destroyed by the
245 property owner within six months after:

246 1. The property owner takes permanent action to no longer
247 use the site for commercial citrus production;

248 2. The site has not been used for commercial citrus
249 production for a period of five years; or

250 3. The department determines that the *Casuarina*
251 *cunninghamiana* on the site has become invasive. This
252 determination of the department shall be based on, but not
253 limited to, the recommendation of the Noxious Weed and Invasive
254 Plant Review Committee, created by the department, the
255 Department of Environmental Protection, and in consultation with
256 a representative of the citrus industry who has a *Casuarina*
257 *cunninghamiana* windbreak.

258

259 If the owner or person in charge refuses or neglects to comply,
260 the director or her or his authorized representative may, under
261 authority of the department, proceed to destroy the plants. The
262 expense of the destruction shall be assessed, collected, and
263 enforced against the owner by the department. If the owner does
264 not pay the assessed cost, the department may record a lien
265 against the property.

266 (g) The use of *Casuarina cunninghamiana* for windbreaks
267 shall not preclude the department from issuing permits for the
268 research or release of biological control agents to control
269 *Casuarina sp.* in accordance with s. 581.083.

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270 (h) The use of *Casuarina cunninghamiana* for windbreaks
271 shall not restrict or interfere with any other agency or local
272 government effort to manage or control noxious weeds or invasive
273 plants, including *Casuarina cunninghamiana*, nor shall any other
274 agency or local government remove any *Casuarina cunninghamiana*
275 planted as a windbreak under special permit issued by the
276 department.

277 (i) The department shall develop and implement a monitoring
278 protocol to determine invasiveness of *Casuarina cunninghamiana*.
279 The monitoring protocol shall at a minimum, require:

280 1. Inspection of the planting site by department inspectors
281 within 30 days following initial planting or any subsequent
282 planting of *Casuarina cunninghamiana* to ensure the criteria of
283 the special permit have been met.

284 2. Annual site inspections of planting sites and all lands
285 within 500 feet of the planted windbreak by department
286 inspectors that have been trained to identify *Casuarina spp.* and
287 to make determinations of whether *Casuarina cunninghamiana* has
288 spread beyond the permitted windbreak location.

289 3. Any new seedlings found within 500 feet of the planted
290 windbreak shall be removed, identified to the species level and
291 evaluated to determine if hybridization has occurred.

292 4. The department to submit an annual report and a final
293 five year evaluation identifying any adverse effects resulting
294 from the planting of *Casuarina cunninghamiana* for windbreaks and
295 documenting all inspections and the results of those inspections
296 to the Noxious Weed and Invasive Plant Review Committee, the
297 Department of Environmental Protection, and a designated
298 representative of the citrus industry, who has a *Casuarina*
299 *cunninghamiana* windbreak.

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300 (j) If the department determines that female flowers or
301 cones have been produced on any *Casuarina cunninghamiana* that
302 have been planted under a special permit issued by the
303 department, the property owner shall be responsible for
304 destroying the trees. The department shall notify the property
305 owner of the timeframe and method of destruction.

306 (k) If at any time the department determines that
307 hybridization has occurred during the pilot program between
308 *Casuarina cunninghamiana* planted as a windbreak and other
309 *Casuarina sp.*, the department will expeditiously initiate
310 research to determine the invasiveness of the hybrid. The
311 information obtained from this research shall be evaluated by
312 the Noxious Weed and Invasive Plant Review Committee, the
313 Department of Environmental Protection, and a designated
314 representative of the citrus industry who has a *Casuarina*
315 *cunninghamiana* windbreak. If the department determines that the
316 hybrids have a high potential to become invasive, based on, but
317 not limited to, the recommendation of the Noxious Weed and
318 Invasive Plant Review Committee, the Department of Environmental
319 Protection, and a designated representative of the citrus
320 industry who has a *Casuarina cunninghamiana* windbreak, this
321 pilot program shall be permanently suspended.

322 (l) Each application for a special permit must be
323 accompanied by a fee as described in subsection (5)(c) and an
324 agreement that the property owner will abide by all permit
325 conditions including the removal of *Casuarina cunninghamiana* if
326 invasive populations or other adverse environmental factors are
327 determined to be present by the department as a result of the
328 use of *Casuarina cunninghamiana* as windbreaks. The application
329 must include, on a form provided by the department, the name of
330 the applicant and the applicant's address or the address of the

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331 applicant's principal place of business; a statement of the
332 estimated cost of removing and destroying the *Casuarina*
333 *cunninghamiana* that is the subject of the special permit and the
334 basis for calculating or determining that estimate. If the
335 applicant is a corporation, partnership, or other business
336 entity, the applicant must also provide in the application the
337 name and address of each officer, partner, or managing agent.
338 The applicant shall notify the department within 30 business
339 days of any change of address or change in the principal place
340 of business. The department shall mail all notices to the
341 applicant's last known address.

342 1. Upon obtaining a permit, the permit holder must annually
343 maintain the *Casuarina cunninghamiana* authorized by a special
344 permit as required in the permit. If the permit holder ceases to
345 maintain the *Casuarina cunninghamiana* as required by the special
346 permit, if the permit expires, or if the permit holder ceases to
347 abide by the conditions of the special permit, the permit holder
348 shall remove and destroy the *Casuarina cunninghamiana* in a
349 timely manner as specified in the permit.

350 2. If the department:

351 (a) Determines that the permit holder is no longer
352 maintaining the *Casuarina cunninghamiana* subject to the special
353 permit and has not removed and destroyed the *Casuarina*
354 *cunninghamiana* authorized by the special permit;

355 (b) Determines that the continued use of *Casuarina*
356 *cunninghamiana* as windbreaks presents an imminent danger to
357 public health, safety, or welfare; or

358 (c) Determines that the permit holder has exceeded the
359 conditions of the authorized special permit;

360 The department may issue an immediate final order, which shall
361 be immediately appealable or enjoicable as provided by chapter

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362 120, directing the permitholder to immediately remove and
363 destroy the *Casuarina cunninghamiana* authorized to be planted
364 under the special permit. A copy of the immediate final order
365 shall be mailed to the permitholder.

366 3. If, upon issuance by the department of an immediate
367 final order to the permitholder, the permitholder fails to
368 remove and destroy the *Casuarina cunninghamiana* subject to the
369 special permit within 60 days after issuance of the order, or
370 such shorter period as is designated in the order as public
371 health, safety, or welfare requires, the department may remove
372 and destroy the *Casuarina cunninghamiana* that are the subject of
373 the special permit. If the permitholder makes a written request
374 to the department for an extension of time to remove and destroy
375 the *Casuarina cunninghamiana* that demonstrates specific facts
376 showing why the *Casuarina cunninghamiana* could not reasonably be
377 removed and destroyed in the applicable timeframe, the
378 department may extend the time for removing and destroying
379 *Casuarina cunninghamiana* subject to a special permit. The
380 reasonable costs and expenses incurred by the department for
381 removing and destroying *Casuarina cunninghamiana* subject to a
382 special permit shall be paid out of the CITF and shall be
383 reimbursed by the party to which the Immediate Final Order is
384 issued. If the party to which the Immediate Final Order has
385 been issued fails to reimburse the state within 60 days, the
386 department may record a lien on the property. The lien will be
387 enforced under Florida laws and statutes by the department.

388 5. In order to carry out the purposes of this subsection,
389 the department or its agents may require from any permitholder
390 verified statements of the planted acreage subject to the
391 special permit and may review the permitholder's business or
392 planting records at her or his place of business during normal

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393 business hours in order to determine the acreage planted. The
394 failure of a permitholder to furnish such statement or to make
395 such records available is cause for suspension of the special
396 permit. If the department finds such failure to be willful, the
397 special permit may be revoked.

398 Note.--Former s. 581.06.

399 Section 7. Section 583.13, Florida Statutes, is amended to
400 read:

401 583.13 Labeling and advertising requirements for dressed
402 poultry; unlawful acts.--

403 (1) It is unlawful for any dealer or broker to sell, offer
404 for sale, or hold for the purpose of sale in the state any
405 dressed or ready-to-cook poultry in bulk unless such poultry is
406 packed in a container clearly bearing a label, not less than 3
407 inches by 5 inches, on which shall be plainly and legibly
408 printed, in letters not less than $\frac{1}{4}$ one-fourth inch in height,
409 ~~the grade and the part name or whole-bird statement of such~~
410 ~~poultry. The grade may be expressed in the term "premium,"~~
411 ~~"good," or "standard," or as the grade of another state or~~
412 ~~federal agency the standards of quality of which, by law, are~~
413 ~~equal to the standards of quality provided by this law and rules~~
414 ~~promulgated hereunder.~~

415 (2) It is unlawful to sell unpackaged dressed or ready-to-
416 cook poultry at retail unless such poultry is labeled by a
417 placard immediately adjacent to the poultry or unless each bird
418 is individually labeled to show ~~the grade and the part name or~~
419 ~~whole-bird statement.~~ The placard shall be no smaller than 7
420 inches by 7 inches in size, and the required labeling
421 information shall be legibly and plainly printed on the placard
422 in letters not smaller than 1 inch in height.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

423 (3) It is unlawful to sell packaged dressed or ready-to-
424 cook poultry at retail unless such poultry is labeled to show
425 ~~the grade,~~ the part name or whole-bird statement, the net weight
426 of the poultry, and the name and address of the dealer. The size
427 of the type on the label must be one-eighth inch or larger. A
428 placard immediately adjacent to such poultry may be used to
429 indicate ~~the grade and~~ the part name or whole-bird statement,
430 but not the net weight of the poultry or the name and address of
431 the dealer.

432 (4) It is unlawful to use dressed or ready-to-cook poultry
433 in bulk in the preparation of food served to the public, or to
434 hold such poultry for the purpose of such use, unless the
435 poultry when received was packed in a container clearly bearing
436 a label, not less than 3 inches by 5 inches, on which was
437 plainly and legibly printed, in letters not less than one-fourth
438 inch in height, ~~the grade and~~ the part name or whole-bird
439 statement of such poultry. ~~The grade may be expressed in the~~
440 ~~term "premium," "good," or "standard," or as the grade of~~
441 ~~another state or federal agency the standards of quality of~~
442 ~~which, by law, are equal to the standards of quality provided by~~
443 ~~this law and rules promulgated hereunder.~~

444 (5) It is unlawful to offer dressed or ready-to-cook
445 poultry for sale in any advertisement in a newspaper or
446 circular, on radio or television, or in any other form of
447 advertising without plainly designating in such advertisement
448 ~~the grade and~~ the part name or whole-bird statement of such
449 poultry.

450 Section 8. Subsection (1) of section 604.15, Florida
451 Statutes, is amended to read:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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452 604.15 Dealers in agricultural products; definitions.--For
453 the purpose of ss. 604.15-604.34, the following words and terms,
454 when used, shall be construed to mean:

455 (1) "Agricultural products" means the natural products of
456 the farm, nursery, grove, orchard, vineyard, garden, and apiary
457 (raw or manufactured); sod; ~~tropical foliage~~; horticulture; hay;
458 livestock; milk and milk products; poultry and poultry products;
459 the fruit of the saw palmetto (meaning the fruit of the Serenoa
460 repens); limes (meaning the fruit Citrus aurantifolia, variety
461 Persian, Tahiti, Bearss, or Florida Key limes); and any other
462 nonexempt agricultural products produced in the state, except
463 tobacco, sugarcane, tropical foliage, timber and timber
464 byproducts, forest products as defined in s. 591.17, and citrus
465 other than limes.

466 Section 9. Section 604.50, Florida Statutes, is amended to
467 read:

468 604.50 Nonresidential farm buildings.--Notwithstanding any
469 other law to the contrary, any nonresidential farm building is
470 exempt from the Florida Building Code and any county or
471 municipal building code, building code permit, or impact fee.
472 For purposes of this section, the term "nonresidential farm
473 building" means any building or support structure that is used
474 for agricultural purposes, is located on a farm that is not used
475 as a residential dwelling, and is located on land that is an
476 integral part of a farm operation or is classified as
477 agricultural land under s. 193.461. The term "farm" is as
478 defined in s. 823.14.

479 Section 10. Section 823.145, Florida Statutes, is amended
480 to read:

481 823.145 Disposal by open burning of certain materials
482 ~~mulch plastic~~ used in agricultural operations.--Polyethylene

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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483 agricultural mulch plastic; damaged, nonsalvageable, untreated
484 wood pallets; and packing material that cannot be feasibly
485 recycled, which are used in connection with agricultural
486 operations related to the growing, harvesting, or maintenance of
487 crops, may be disposed of by open burning provided that no
488 public nuisance or any condition adversely affecting the
489 environment or the public health is created thereby and that
490 state or federal national ambient air quality standards are not
491 violated.

492 Section 11. Subsection (11) is added to section 849.094,
493 Florida Statutes, to read:

494 849.094 Game promotion in connection with sale of consumer
495 products or services.--

496 (11) An operator who elects to conduct a computer-based
497 electronic sweepstakes game promotion in connection with the
498 sale of a consumer product or service, regardless of the total
499 announced value of the prizes offered, shall receive written
500 approval from the Department of Agriculture and Consumer
501 Services to conduct the game promotion when the operator:

502 (a) Files an Electronic Sweepstakes Game Promotion
503 application with the Department of Agriculture and Consumer
504 Services consistent with paragraph (3) containing a complete
505 list of available sweepstake prizes and the odds of winning each
506 prize and paying a \$100 fee per computer terminal provided by
507 the operator to use in connection with the electronic
508 sweepstakes game promotion;

509 (b) Establishes a trust account or posting a surety bond in
510 the amount of \$1,000,000 per promotion unless specifically
511 exempted by the Department of Agriculture and Consumer Services
512 pursuant to paragraph (4) (b); and

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513 (c) Obtains an independent lab certification, by a
514 Department of Agriculture and Consumer Services or Department of
515 Business and Professional Regulation approved gaming device
516 testing laboratory, confirming that the computer-based
517 electronic sweepstakes game promotion is using a finite software
518 game system to determine sweepstake winners and all advertised
519 prizes are obtainable, unless the operator is also exempt
520 pursuant to paragraph (4) (b).

521 Section 12. This act shall take effect July 1, 2008.

522

523

524

T I T L E A M E N D M E N T

525

Remove the entire title and insert:

526

527

An act relating to agriculture;

528

amending s. 163.3162, F.S.; prohibiting county government

529

imposition of an assessment, or fee for stormwater

530

management on agricultural land meeting certain

531

requirements; amending s. 205.064, F.S.; expanding

532

eligibility for exemption from a local business tax

533

receipt for the privilege of selling specified products;

534

amending s. 373.1395, F.S.; providing indemnity for an

535

agricultural landowner for easement or any other right

536

secured by a water management district for access to lands

537

the district provides or makes available to the public;

538

delineating what is covered by indemnification for

539

landowners and water management districts; providing that

540

agricultural landowners and water management districts are

541

liable for gross negligence and certain other acts as

542

specified; creating s. 500.70, F.S.; delineating

543

requirements for a tomato farmer, packer, repacker, or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

544 handler to be considered in compliance with state food
545 safety microbial standards and guidelines; amending s.
546 570.07, F.S.; providing that the Department of Agriculture
547 and Consumer Services may adopt by rule comprehensive best
548 management practices for agricultural production and food
549 safety; amending s. 581.091, F.S.; providing conditions
550 for use of *Casuarina cunninghamiana* as a windbreak for
551 commercial citrus groves; providing for permitting and
552 permit fees; providing for destruction of *Casuarina*
553 *cunninghamiana*; providing that use as a windbreak does not
554 preclude research or release of agents to control
555 *Casuarina sp.*; providing that the use of *Casuarina*
556 *cunninghamiana* for windbreaks does not interfere with or
557 restrict efforts to manage or control noxious weeds or
558 invasive plants; prohibiting any other agency or local
559 government from removing *Casuarina cunninghamiana* planted
560 as a windbreak under special permit; amending s. 583.13,
561 F.S.; revising the labeling and advertising requirements
562 for dressed poultry; amending s. 604.15, F.S.; revising a
563 definition to make tropical foliage exempt from regulation
564 under provisions relating to dealers in agricultural
565 products; amending s. 604.50, F.S.; expanding county and
566 municipal exemptions for nonresidential farm buildings to
567 include permits and impact fees; amending s. 823.145,
568 F.S.; expanding the materials used in agricultural
569 operations that can be openly burned; providing certain
570 limitations on such burning; amending s. 849.094, F.S.;
571 revising certain game promotion filing requirements;
572 providing an effective date.

573
574

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

HB 975 : Onsite Sewage Treatment and Disposal Systems

Favorable with Council Substitute - the substitute strike-all was adopted as amended

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Debbie Boyd	X				
Mary Brandenburg				X	
Faye Culp	X				
Richard Glorioso			X		
Denise Grimsley	X				
Will Kendrick	X				
Paige Kreegel	X				
Rick Kriseman	X				
Richard Machek	X				
Bryan Nelson	X				
Ralph Poppell	X				
Stephen Precourt	X				
Scott Randolph	X				
Anthony Sasso III	X				
Baxter Troutman			X		
Trudi Williams	X				
Stan Mayfield (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Diane Carr, Attorney (Lobbyist) - Opponent
 FL Water Environment Assoc, Utility Council
 Hopping, Green & Sams 123 South Calhoun Street
 Tallahassee FL 323003
 Phone: 222-7500

C. Scott Dudley, Sr. Legislative Advocate (Lobbyist) - Opponent
 Florida League of Cities
 301 S. Bronough Street
 Tallahassee FL 32303
 Phone: 222-9684

Damann L. Anderson, Vice President (General Public) - Proponent
 Hazen & Sawyer, D.C.
 10002 Princess Palm Avenue, Suite 200
 Tallahassee FL 33619
 Phone: 813-630-4498

Keith Hetrick, General Council (Lobbyist) - Proponent
 Florida Home Builders Association
 201 E. Park Avenue
 Tallahassee FL 32311
 Phone: 224-4316

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

Funding of project

Doug Mann (Lobbyist) - Opponent

Fl Waste Water Association

310 W. College Avenue

Tallahassee FL 32301

Phone: 222-7500

Septic system maintenance

Mark Hooks (General Public) - Proponent

Florida Onsite Wastewater Association

2357 Hampshire Way

Tallahassee FL 32308

Phone: 888-261-8265

for the bill; opposed amendment to substitute amendment

David Ramba (Lobbyist) - Proponent

Florida Home Builders Association

101 N. Monroe Street, Suite 400

Tallahassee FL 32301

Phone: 222-5702

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

Bill No. 975

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER _____



1 Council/Committee hearing bill: Environment & Natural Resources
 2 Council
 3 Representative Precourt offered the following:

4
 5 **Substitute Amendment for the traveling Amendment by the**
 6 **Committee on Environmental Protection (with title amendment)**

7 Remove line(s) 26-187 and insert:

8 Section 1. (1) It is the intent of the Legislature to
 9 continue to research cost-effective methods to reduce nitrogen
 10 levels in Florida's springs and to augment the research
 11 performed within the Wekiva Springs area and elsewhere in the
 12 state. To that end, the Department of Health shall contract a
 13 study to develop and evaluate passive onsite wastewater nitrogen
 14 reduction systems, consisting of technologies and strategies for
 15 nitrogen reduction that complement or can be added to
 16 conventional onsite wastewater treatment systems. The contract
 17 shall be initiated by requests for proposal. The scope of the
 18 study shall be consistent with the requirements herein and shall
 19 be approved by the department's research review and advisory
 20 committee. The study shall include the following components:

21 (a) The identification, comparison and evaluation of
 22 passive onsite wastewater nitrogen reduction systems that have a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

23 significantly lower life-cycle cost than the available
24 performance-based treatment systems currently identified by the
25 department for annual average nitrogen reductions of 70 percent
26 or annual average effluent of less than 10 mg/L. Life-cycle
27 cost shall be based on total system costs, including
28 installation, operation, and maintenance costs and media
29 replacement costs, and shall also identify the life-cycle cost
30 per unit mass of nitrogen reduction.

31 (b) A comprehensive review of passive onsite wastewater
32 nitrogen reduction system methods, strategies, and costs
33 reported for passive nitrogen reduction, as well as the field
34 evaluations of selected systems installed at appropriate
35 demonstration sites as determined by the research review and
36 advisory committee.

37 (c) The evaluation of technologies, including, but not
38 limited to, the addition of organic carbon material and other
39 alternative media through conventional components such as tanks
40 or drainfields, effluent recirculation, alterations such as the
41 addition of low-pressure dosing or drip irrigation, various
42 plant material over the drainfield and any other technologies,
43 and combinations or process configurations as identified by the
44 department, its contractor, the research review and advisory
45 committee, or the review described in paragraph (b).

46 (d) A nitrogen reduction performance measurement,
47 including the analyses of numerous influent and effluent samples
48 from various process locations within each system tested in the
49 field and a determination of the mean as well as measures of
50 variance for each process and system tested.

51 (e) The evaluation and comparison of the fate and
52 transport of nitrogen species from conventional onsite
53 wastewater treatment systems, passive onsite wastewater nitrogen

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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54 reduction systems, and performance-based treatment systems,
55 including an estimation of denitrification rates in unsaturated
56 soil and in groundwater below and down gradient of the systems.
57 Data shall be analyzed and reported which considers nitrogen
58 reduction and uptake provided by soils and the shallow
59 groundwater below and down gradient of the various systems
60 tested, especially in areas where nitrogen is of particular
61 concern. From this data a simple model for predicting nitrogen
62 fate and transport from onsite wastewater systems shall be
63 developed.

64 (f) The documentation and comparison of the costs and the
65 performance of conventional onsite wastewater treatment systems,
66 passive onsite wastewater nitrogen reduction systems, and
67 performance-based treatment systems, including descriptions and
68 comparisons of installation requirements, maintenance needs,
69 operational requirements, and all costs related to the systems.

70 (2) The research review and advisory committee shall
71 initially approve the study, including the request for proposal,
72 and shall oversee performance of the project. The study shall
73 be periodically peer reviewed by a five-person panel comprised
74 of engineers and scientists with known expertise in wastewater
75 treatment process design and performance assessment, including
76 nitrogen removal processes and the fate and transport of
77 nitrogen in the environment. The panel shall be comprised of
78 one member designated by the Department of Health, one member
79 designated by the Department of Environmental Protection, one
80 member designated by the Florida Onsite Wastewater Association,
81 one member designated by the Florida Home Builders Association,
82 and one member designated by the Florida Association of
83 Realtors. The Panel shall provide advice to the Research Review
84 and Advisory Committee.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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85 (3) Field study of passive onsite nutrient reduction
86 systems shall begin no later than January 1, 2009. Beginning on
87 February 1, 2009, through February 1, 2011, interim progress
88 reports approved by the research review and advisory committee
89 shall be submitted to the Speaker of the House of
90 Representatives, the President of the Senate, and the Governor.
91 The study shall be completed by December 1, 2011. A final
92 report summarizing the study, including options, findings and
93 recommendations for use of the most cost-effective, user
94 friendly and environmentally beneficial alternative passive
95 technologies for reducing nitrogen shall be approved and
96 presented by the committee to the Speaker of the House of
97 Representatives, the President of the Senate, and the Governor
98 as soon as practicable after completion of the study.

99 (4) The Department of Health shall provide administrative
100 support to the committee with respect to the study, including,
101 but not limited to, the drafting of reports, the preparation of
102 outlines for the study, and drafting the request for proposal.
103 The department shall also be responsible for administering and
104 providing quality control for any contracts approved by the
105 committee. The research review and advisory committee shall
106 have final decision making authority over the scope and contents
107 of the request for proposal.

108 (5) The study shall be performed over the course of three
109 state budget cycles at a total cost not to exceed \$5 million.
110 For the 2008-2009 fiscal year, the sum of \$ 1.7 million in
111 nonrecurring funds is appropriated to the Department of Health
112 from the Water Protection and Sustainability Program Trust Fund
113 in the Department of Environmental Protection for the purpose of
114 funding the first budget cycle of the study pursuant to this
115 section.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

116 Section 2. Subsection (5) of section 381.0065, Florida
117 Statutes, is renumbered as subsection (6), and a new subsection
118 (5) is added to that section to read:

119 381.0065 Onsite sewage treatment and disposal systems;
120 regulation.—

121 (5) PERIODIC INSPECTIONS.—The department shall adopt rules
122 pursuant to ss. 120.536(1) and 120.54 to administer this section
123 and to establish an onsite sewage treatment system inspection
124 program that focuses on identifying and repairing failing
125 systems. The rule shall go into effect no sooner than August 1,
126 2009. The program shall not require upgrades to systems that
127 are not deemed to be in failure. Except for systems that are
128 required to obtain an operating permit, the owner of any onsite
129 sewage treatment system shall have the system pumped out and
130 inspected once every 5-years pursuant to the following
131 requirements:

132 (a) Inspection schedule: Onsite sewage treatment and
133 disposal systems shall be subject to a 5-year cycle for periodic
134 inspections and pump-outs. The schedule shall include a county
135 by county implementation plan phased in over a 10-year period
136 and shall give first priority to those areas within an
137 identified springshed protection area, as defined by the
138 Department of Environmental Protection.

139 (b) Inspection Procedures and Parameters: The department
140 Procedure for Voluntary Inspection and Assessment of Existing
141 Systems, May, 2000, herein incorporated by reference, shall be
142 applied to inspections pursuant to this subsection, except as
143 otherwise provided herein. The Procedure, as applied under this
144 subsection, shall not allow owners to request partial
145 inspections or request the omission of portions of the
146 inspection. All inspection procedures used by an inspector

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

147 shall be documented and nothing herein shall be construed to
148 limit the amount of detail an inspector may provide at their
149 professional discretion. The inspection shall include a tank
150 inspection, a drainfield inspection, and a written assessment of
151 the condition of the system, and if necessary, a disclosure
152 statement pursuant to the department's Procedure. Where proof
153 of a tank pumping, permitted new installation or permitted
154 repair or permitted modification can be documented within the
155 previous three years, and where the document states the capacity
156 of the tank and indicates that the condition of the tank does
157 not constitute a sanitary or public health nuisance, the
158 department and inspector shall waive the pumping requirements.
159 Owners shall be responsible for paying the cost of the
160 inspection and pump-out pursuant to department rule.

161 (c) Qualifications of Inspectors: Persons allowed to
162 perform work under this subsection shall be master septic tank
163 contractors, registered septic tank contractors, state licensed
164 plumbers, and persons certified under section 381.0101.

165 (d) Notice: Prior to any inspection, the department shall
166 provide a minimum 60 day notice to owners that their system will
167 be required to be inspected and pumped out. The notice must
168 include a provision which states that the inspection is designed
169 to assess the fundamental operational condition of a system at a
170 particular moment in time to identify failing systems, and that
171 the inspection is not designed to determine precise code
172 compliance, require a complete upgrade or overhaul of a system
173 to current code requirements, nor provide information to
174 demonstrate that the system will adequately serve the use to be
175 placed upon it by the current or any subsequent owner. The
176 department shall also provide the owner of the system, along
177 with the notice, a copy of its Procedure which delineates the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

178 inspection procedures that will be applied under this
179 subsection.

180 (e) Failures: Failure means a condition existing within
181 an onsite sewage treatment and disposal system which prohibits
182 the system from functioning in a sanitary manner and which
183 results in the discharge of untreated or partially treated
184 wastewater onto ground surface, into surface water, into
185 groundwater, or which results in the failure of building
186 plumbing to discharge properly. For purposes of enforcement of
187 this statute only, the term "failure" shall not be construed to
188 mean that, upon inspection, a system is considered to be in
189 "failure" solely because the system does not have the minimum
190 separation distance between the drainfield and groundwater
191 table.

192 (f) Repairs: Repair means replacement of or modifications
193 or additions to a failing system which are necessary to allow
194 the system to function in accordance with its design or must be
195 made to eliminate a public health or pollution hazard. The use
196 of any treatment method that is intended to improve the
197 functioning of any part of the system, or to prolong or sustain
198 the length of time the system functions, shall be considered a
199 repair. Servicing or replacing with like kind mechanical or
200 electrical parts of an approved onsite sewage treatment and
201 disposal system or making minor structural corrections to a
202 tank, or distribution box, does not constitute a repair. The
203 use of any non-prohibited additive by the system owner, through
204 the inside building plumbing, shall not be considered a repair.
205 Removal of the contents of any tank or the installation of an
206 approved outlet filter device, where the drainfield is not
207 disturbed, shall not be considered a repair. Replacement of a
208 broken lid to any tank shall not be considered a repair.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

209 Splicing a drip emitter line where no emitter is eliminated
210 shall not be considered a repair.

211 (g) Enforcement procedure: The department shall establish
212 an enforcement procedure pursuant to s. 381.0065(3)(h), for
213 those who fail to properly inspect onsite sewage treatment
214 systems, for those who fail to timely report inspection results
215 to the department and the system owner, and to provide a
216 conflict of interest provision to prevent an inspector from
217 conducting repairs associated with any deficiencies found.

218 Section 3. Section 381.00656, Florida Statutes, is created
219 to read:

220 381.00656 Wekiva Onsite Sewage Treatment and Disposal
221 System Compliance Grant Program.--

222 (1) The Wekiva Onsite Sewage Treatment and Disposal System
223 Compliance Grant Program is established in the Department of
224 Health and shall be administered by the department. The purpose
225 of the program is to provide grants to low-income property
226 owners in the Wekiva Study Area or the Wekiva River Protection
227 Area using onsite disposal systems to assist the property owners
228 in complying with rules for onsite sewage treatment and disposal
229 systems developed by the department, the Department of
230 Environmental Protection, or the St. Johns River Water
231 Management District. The grant program is effective upon final
232 adoption of department rules and may be applied to costs
233 incurred by property owners on or after such date.

234 (2) Any property owner in the Wekiva Study Area or the
235 Wekiva River Protection Area having an income less than or equal
236 to 200 percent of the federal poverty level who is required by
237 rule of the department, the Department of Environmental
238 Protection, or the St. Johns River Water Management District to
239 alter, repair, or modify any existing onsite sewage treatment

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

240 and disposal system on such property to a nitrogen-reducing,
241 performance-based treatment system may apply to the department
242 for a grant to assist the owner with the cost of compliance.

243 (3) The amount of the grant is limited to the cost
244 differential between the replacement of a comparable existing
245 onsite sewage treatment and disposal system and that of an
246 upgraded nitrogen-reducing, performance-based treatment system,
247 but may not exceed \$10,000 per property. This program is
248 contingent upon a specific appropriation by the Legislature.

249 (4) The department shall adopt rules providing forms,
250 procedures, and requirements for applying for and disbursing
251 grants, including bid requirements, and for documenting
252 compliance costs incurred.

253 (5) The department, in coordination with the Department of
254 Environmental Protection and the St. Johns River Water
255 Management District, shall continue to evaluate, by any means
256 the department deems appropriate, the level of nitrogen
257 deposited in the Wekiva Study Area by onsite sewage treatment
258 and disposal systems.

259 Section 4. Subsections (3) of section 381.0101, Florida
260 Statutes is amended to read:

261 381.0101 Environmental health professionals.--

262 (3) CERTIFICATION REQUIRED.—No person shall perform
263 environmental health or sanitary evaluations in any primary
264 program area of environmental health without being certified by
265 the department as competent to perform such evaluations. The
266 requirements of this section shall not be mandatory for persons
267 performing inspections of public food service establishments
268 licensed under chapter 509, or for persons working under the
269 direct responsible charge of an engineer licensed under chapter
270 471 who have successfully completed a department approved soil

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

271 morphology course. Persons working under the direct responsible
272 charge of an engineer licensed under chapter 471 shall receive
273 a minimum of 6 continuing education units of Department approval
274 training in soils morphology every two years.

275 Section 5. This act shall take effect July 1, 2008.

276 -----

277 T I T L E A M E N D M E N T

278 Remove line(s) 3-21 and insert:

279 systems; directing the Department of Health to contract for
280 a study to develop and evaluate certain sewage and disposal
281 systems; specifying requirements for the study; providing
282 for peer review of the study; providing for peer panel
283 membership; providing for field studies; requiring interim
284 progress reports and a final report; requiring the
285 department to provide specified services related to the
286 study; providing an appropriation; amending s. 381.0065,
287 F.S.; providing for the periodic inspection of certain
288 onsite sewage treatment and disposal systems; directing the
289 Department of Health to adopt rules; specifying criteria for
290 such rules; providing definitions; creating s. 381.00656,
291 F.S.; establishing the Wekiva Onsite Sewage Treatment and
292 Disposal System Compliance Grant Program in the Department
293 of Health for the purposes of providing grants to low-income
294 property owners; specifying eligibility and grant amounts;
295 providing the program is contingent upon a specific
296 appropriation by the Legislature; requiring the department
297 to adopt rules; directing the department, the Department of
298 Environmental Protection, and the St. John's River Water
299 Management District to conduct specified evaluations;
300 amending s. 381.0101, F.S.; allowing persons who have
301 successfully completed a department approved soil morphology

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

302 course to work under the direct responsible charge of an
303 engineer licensed under chapter 471; providing an
304
305

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Bill No. 975

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____



1 Council/Committee hearing bill: Environment and Natural
2 Resources

3 Representative(s) Kendrick offered the following:

4

5 **Amendment to Substitute Amendment by Representative**
6 **Kendrick**

7 Remove line(s) 10-13 and insert:

8 levels in Florida's waters and to augment the research performed

9 exclusively within the Wekiva Springs area. To that end, the

10 Department of Health shall contract a

11

12

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

HB 1173 : Land Development Regulation

Temporarily Deferred

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

HB 1267 : Protecting Urban and Residential Environments & Water

Favorable with Council Substitute - amendments 1 & 2 were adopted without objection; objection 3 was withdrawn

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Debbie Boyd	X				
Mary Brandenburg	X				
Faye Culp	X				
Richard Glorioso			X		
Denise Grimsley	X				
Will Kendrick	X				
Paige Kreegel	X				
Rick Kriseman		X			
Richard Machek	X				
Bryan Nelson	X				
Ralph Poppell	X				
Stephen Precourt	X				
Scott Randolph		X			
Anthony Sasso III		X			
Baxter Troutman	X				
Trudi Williams	X				
Stan Mayfield (Chair)	X				
Total Yeas: 13		Total Nays: 3			

Appearances:

Jon Thaxton, County Commissioner (State Employee) - Information Only

Sarasota County
 1660 Ringling Blvd.
 Sarasota FL 34236
 Phone: 941-861-5344

Mike Goldie (Lobbyist) - Proponent

320 West Park
 Tallahassee FL 32301
 Phone: 212-8562

Paul Schofield, Manager (General Public) - Proponent

Village of Wellington
 14000 Greenbrier
 Wellington FL 33414
 Phone: 561-791-4000

Kurt Spitzer (State Employee) - Opponent

Florida Stormwater Association
 713 E. Park Avenue
 Tallahassee FL 32303
 Phone: 561-0904

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

Diana Ferguson, Legislative Staff Attorney (Lobbyist) - Opponent
FL Association of Counties
100 S. Monroe
Tallahassee FL 32301
Phone: 922-5650

C. Scott Dudley, Sr. Legislative Advocate (Lobbyist) - Opponent
Florida League of Cities
301 S. Bronough Street
Tallahassee FL 32303
Phone: 222-9684

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. A

Bill No. HB 1267

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____



1 Council/Committee hearing bill: Environment & Natural Resources
2 Representative Nelson offered the following:

3

4 **Amendment to Traveling Strike-all Amendment by committee on**
5 **Agribusiness**

6 Remove line 20 and insert:

7 serve to improve the quality of water in the state's water

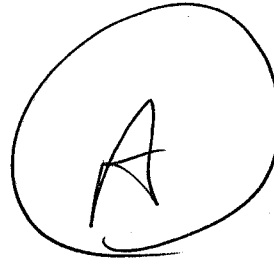
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9

10

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____



1 Council/Committee hearing bill: Environment & Natural Resources
 2 Representative Nelson offered the following:

3
 4 **Amendment to the Traveling Strike-all Amendment by**
 5 **Committee on Agribusiness**

6 Remove lines 26-51 and insert:

7 *
 8 (1) The department is directed to adopt by Secretarial
 9 Order by October 1, 2008 and without change the "Florida
 10 Friendly Fertilizer Use on Urban Landscapes Model Ordinance"
 11 contained in the Florida Consumer Fertilizer Task Force Final
 12 Report to the 2008 Florida Legislature, issued January 15, 2008.

13 (2) At least every three years, or as additional research
 14 or other scientific information becomes available, the
 15 department, in consultation with the Department of Agriculture
 16 and Consumer Services, the University of Florida Institute of
 17 Food and Agricultural Sciences, local governments, and other
 18 interested parties shall review the model ordinance and adopt
 19 changes as necessary.

20 (3) Any county or municipal government who has adopted and
 21 implemented the department adopted model ordinance, and has
 22 collected site specific data demonstrating that the model
 23 ordinance is insufficiently protective, may adopt additional

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

24 provisions to or more stringent provisions than, the model
25 ordinance provided that such government can demonstrate that it
26 meets the following criteria:

27 a. The county or municipal government has within its
28 jurisdiction all or part of a water body, or all or part of a
29 watershed that drains to all or part of a water body, which has
30 been verified as being impaired or assessed as being potentially
31 impaired for a nutrient or nutrients under state or federal
32 laws; and

33 b. The county and municipal government has demonstrated,
34 as part of a comprehensive program to address nonpoint sources
35 of nutrient pollution which is based on sound scientific
36 principals, that additional or more stringent provisions to the
37 model ordinances are necessary to adequately address urban
38 fertilizer contributions to nonpoint source nutrient loading to
39 a water body identified in subparagraph (a).

40 (4) Any county or municipal government may adopt
41 additional provisions to, or more stringent provisions than, the
42 model ordinance if:

43 a. The county or municipal government is a party to a
44 basin management action plan adopted pursuant to ss. 403.067
45 that requires additional or more stringent provisions than the
46 model ordinance; or

47 b. The county or municipal government has an approved
48 permit for a municipal separate storm sewer system which
49 requires additional or more stringent provisions than the model
50 ordinance.

51 (5) Any county or municipal government which elects to
52 establish additional or more stringent criteria than the model
53 ordinance shall consult with the department, the Department of
54 Agriculture and Consumer Services and the University of Florida
55 Institute of Food and Agricultural Sciences in the establishment

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

56 of such criteria. Input received from the consulting agencies
57 shall become part of the record of decision in adoption of more
58 stringent criteria.

59 (6) Any county or municipal government that has adopted
60 its own fertilizer use ordinance before January 15, 2008 is
61 exempt from any requirement to adopt and the model ordinance and
62 shall follow the process in paragraphs (3), (4) and (5) in the
63 adoption of any additional or more stringent provisions.

64

65

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB
PCB ENRC 08-01 : Energy

Temporarily Deferred - amendments considered

Appearances:

amendment 4

Mike Sole, Secretary (State Employee) - Information Only
Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee FL 32399
Phone: 245-2011

amendment 6

James Richmond, Deputy General Council (Lobbyist) (State Employee) - Information Only
Department of Community Affairs
2555 Shumard Oak
Tallahassee FL 32399
Phone: 922-1675

amendment 7

Jim Gabbard, City Manager (General Public) - Opponent
City of Vero Beach
P.O. Box 1389
Vero Beach FL 32961
Phone: 772-473-7966

amendment 7

Tom White, Mayor (General Public) - Opponent
City of Vero Beach
P.O. Box 1389
Vero Beach FL 32961
Phone: 772-559-5921

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

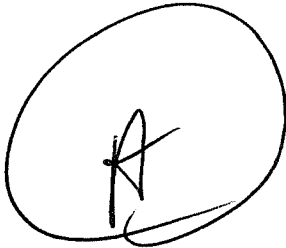
HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. PCB ENRC 08-01

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____



1 Council/Committee hearing bill: Environment & Natural Resources
 2 Council
 3 Representative(s) Mayfield offered the following:

Amendment

Remove line(s) 526 and insert:

(b) Each terminal supplier, importer, blender,



T I T L E A M E N D M E N T

Remove line(s) 23 and insert:

blender, and wholesaler to provide in a report

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. **PCB ENRC 08-01**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____



1 Council/Committee hearing bill: Environment & Natural Resources
2 Council

3 Representative(s) Kreegel offered the following:

4
5 **Amendment**

6 Remove line(s) 776-778 and insert:

7 Section 10. It is the intent of the Legislature that the
8 amendments to s. 220.193, F.S., are remedial in nature and apply
9 retroactively to the effective date of the law establishing the
10 credit.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

Bill No. **PCB ENRC 08-01**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____



1 Council/Committee hearing bill: Environment & Natural Resources

2 Council

3 Representative(s) Machek offered the following:

4
5 **Amendment**

6 Remove line(s) 1675-1680 and insert:

7 (7) Under the provisions of subsections (5) and (6), when
8 a utility purchases power generated from biogas produced by the
9 anaerobic digestion of agricultural waste, including food waste
10 or other agricultural by products, net metering is available at
11 a single metering point or is available as a part of conjunctive
12 billing of multiple points for a customer at a single location.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4

Bill No. **PCB ENRC 08-01**

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	<input checked="" type="checkbox"/>	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: Environment & Natural Resources
2 Council

3 Representative(s) Kriseman offered the following:

4

5 **Amendment**

6 On line(s) 4176 - 4177 remove:

7 and who reside within the jurisdiction of the local government

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5

Bill No. PCB ENRC 08-01

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____



1 Council/Committee hearing bill: Environment & Natural Resources
2 Council
3 Representative(s) Mayfield offered the following:

Amendment

Remove line(s) 4797-4939 and insert:

Section 81. Section 526.203, Florida Statutes, is created to read:

526.203 Renewable Fuel Standard.--

(1) DEFINITIONS.--As used in this act, the terms "blender," "importer," "terminal supplier," and "wholesaler" shall be defined as provided in s. 206.01.

(a) "Fuel ethanol" means an anhydrous denatured alcohol produced by the conversion of carbohydrates meeting the specifications as adopted by the Department of Agriculture and Consumer Services.

(b) "Blended gasoline" means a mixture of ninety percent gasoline and ten percent fuel ethanol meeting the specifications as adopted by the Department of Agriculture and Consumer Services. The ten percent fuel ethanol portion may be derived from any agricultural source.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5

22 (c) "Unblended gasoline" means gasoline that has not been
23 blended with fuel ethanol meeting the specifications as adopted
24 by the Department of Agriculture and Consumer Services.

25 (d) "10 percent" means 9-10 percent ethanol by volume.

26 (2) FUEL STANDARD.--On and after December 31, 2010, all
27 gasoline sold or offered for sale in Florida by a terminal
28 supplier, importer, blender, or wholesaler shall contain, at a
29 minimum, 10 percent of agriculturally derived, denatured ethanol
30 fuel by volume.

31 (3) EXEMPTIONS.--The requirements of this act do not apply
32 to the following:

33 (a) Fuel used in aircraft;

34 (b) Fuel sold at marinas and mooring docks for use in boats
35 and similar watercraft;

36 (c) Fuel sold to a blender;

37 (d) Fuel sold for use in collector vehicles or vehicles
38 eligible to be licensed as collector vehicles, off-road
39 vehicles, motorcycles, or small engines.

40 (e) Fuel unable to comply due to requirements of the United
41 States Environmental Protection Agency;

42 (f) Fuel bulk transferred between terminals;

43 (g) Fuel exported from the state in accordance with s.
44 206.052;

45 (h) Fuel qualifying for any exemption in accordance with
46 chapter 206;

47 (i) Fuel at an electric power plant that is regulated by
48 the United States Nuclear Regulatory Commission unless such
49 commission has approved the use of fuel meeting the requirements
50 of subsection (2);

51 (j) Fuel for a railroad locomotive; or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5

52 (k) Fuel for equipment, including vehicle or vessel,
53 covered by a warranty that would be voided, if explicitly stated
54 in writing by the vehicle or vessel manufacturer, if it were to
55 be operated using fuel meeting the requirements of subsection
56 (2).

57 (4) REPORT.--Pursuant to s. 206.43, each terminal
58 supplier, importer, blender, and wholesaler shall include in its
59 report to the Department of Revenue, the number of gallons of
60 gasoline fuel meeting and not meeting the requirements of this
61 act, sold and delivered by the terminal supplier, importer,
62 blender, or wholesaler in the state, and the destination as to
63 the county in the state to which the gasoline was delivered for
64 resale at retail or use.

65 Section 82. Section 526.204, Florida Statutes, is created
66 to read:

67 526.204 Waivers and suspensions.--

68 (1) If a terminal supplier, importer, blender, or
69 wholesaler is unable to obtain fuel ethanol or blended gasoline
70 at the same or lower price as unblended gasoline, then the sale
71 or delivery of unblended gasoline by the terminal supplier,
72 importer, blender, or wholesaler shall not be deemed a violation
73 of this act. The terminal supplier, importer, blender, or
74 wholesaler shall, upon request of the Department of Revenue or
75 the Department of Agriculture and Consumer Services, provide the
76 required documentation regarding the sales transaction and price
77 of fuel ethanol, blended gasoline, and unblended gasoline to the
78 department making the request.

79 (2) To account for supply disruptions and ensure reliable
80 supplies of motor fuels for Florida, the requirements of this
81 act shall be suspended when the provisions of s. 252.36(2) in

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5

82 any area of the state are in effect plus an additional thirty
83 days.

84 Section 83. Section 526.205, Florida Statutes, is created
85 to read:

86 526.205 Enforcement.--

87 (1) It is unlawful to sell or distribute, or offer for
88 sale or distribution, any gasoline which fails to meet the
89 requirements of this act.

90 (2) Upon determining that a terminal supplier, importer,
91 blender, or wholesaler is not meeting the requirements of s.
92 526.203(2), the Department of Revenue shall notify the
93 department.

94 (3) Upon notification by the Department of Revenue of a
95 violation of this act, the department shall, subject to
96 subsection (1), grant an extension or enter an order imposing
97 one or more of the following penalties:

98 1. Issuance of a warning letter.

99 2. Imposition of an administrative fine of not more than
100 \$1,000 per violation for a first-time offender. For a second-
101 time or repeat offender, or any person who is shown to have
102 willfully and intentionally violated any provision of this act,
103 the administrative fine shall not exceed \$5,000 per violation.
104 When imposing any fine under this section, the department shall
105 consider the amount of money the violator benefited from by
106 noncompliance, whether the violation was committed willfully,
107 and the compliance record of the violator.

108 (4) Any terminal supplier, importer, blender, or
109 wholesaler may apply to the department by September 30, 2010,
110 for an extension of time to comply with the requirements of this
111 act. The application for an extension must demonstrate that the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5

112 applicant has made a good faith effort to comply with the
113 requirements but has been unable to do so for reasons beyond the
114 applicant's control, such as delays in receiving governmental
115 permits. The department shall review each application and make
116 a determination as to whether the failure to comply was beyond
117 the control of the applicant. If the department determines that
118 the applicant made a good faith effort to comply, but was unable
119 to do so for reasons beyond the applicant's control, the
120 department shall grant an extension of time determined necessary
121 for the applicant to comply. If no extension is granted, the
122 department shall proceed with enforcement pursuant to subsection
123 (3).

124 Section 84. Section 526.206, Florida Statutes, is created
125 to read:

126 526.206 Rules.--

127 (1) The Department of Revenue is authorized to adopt rules
128 pursuant to ss. 120.536(1) and 120.54 to implement the
129 provisions of this act.

130 (2) The Department of Agriculture and Consumer Services is
131 authorized to adopt rules pursuant to ss. 120.536(1) and 120.54
132 to implement the provisions of this act.

133 Section 85. Section 526.207, Florida Statutes, is created
134 to read:

135 526.207 Studies and Reports.--

136 (1) The Florida Energy and Climate Commission shall conduct
137 a study to evaluate and recommend the lifecycle greenhouse gas
138 emissions associated with all renewable fuels including, but not
139 limited to, biodiesel, renewable diesel, biobutanol, and ethanol
140 derived from any source. In addition, the study shall evaluate
141 and recommend a requirement that all renewable fuels introduced

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5

142 into commerce in the state, as a result of the Renewable Fuel
143 Standard, shall reduce the lifecycle greenhouse gas emissions by
144 an average percentage. The study may also evaluate and
145 recommend any benefits associated with the creation, banking,
146 transfer, and sale of credits among fuel refiners, blenders, and
147 importers.

148 (2) The Florida Energy and Climate Commission shall submit
149 a report containing specific recommendations to the President of
150 the Senate and the Speaker of the House of Representatives no
151 later than December 31, 2010.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6

Bill No. **PCB ENRC 08-01**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN (Y/N)
OTHER _____



1 Council/Committee hearing bill: Environment & Natural Resources
2 Council

3 Representative(s) Randolph offered the following:

4
5 **Amendment**

6 Between line(s) 4975 and 4976 insert:

7 Section 87. Section 553.954, Florida Statutes, is amended
8 to read:

9 553.954 Adoption of standards.--The Department of
10 Community Affairs shall adopt, modify, revise, update, and
11 maintain the Florida Energy Efficiency Conservation Standards to
12 implement the provisions of this part and amendments thereto in
13 accordance with the procedures of chapter 120. The department
14 may also work with the Florida Building Commission to coordinate
15 inspections for new products that are covered by the Florida
16 Building Code.

17 Section 88. Section 553.955, Florida Statutes, is amended
18 to read:

19 553.955 Definitions.--For purposes of this part:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6

20 (1) "Boiler" means a commercial or residential space
21 heater that is a self-contained appliance for supplying steam or
22 hot water primarily intended for space heating. The term
23 excludes hot water supply boilers.

24 ~~(1) "AV" means the adjusted volume for refrigerators,~~
25 ~~refrigerator-freezers, and freezers, as defined in the~~
26 ~~applicable test procedure.~~

27 (2) "Bottle-type water dispenser" means a water dispenser
28 that uses a bottle or reservoir as the source of potable water.

29 ~~(2) "Ballast" or "fluorescent lamp ballast" means a device~~
30 ~~to operate a fluorescent lamp by providing a starting voltage~~
31 ~~and current and limiting the current during normal operation. It~~
32 ~~must also be designed to:~~

33 ~~(a) Operate at nominal input voltages of 120 or 227 volts.~~

34 ~~(b) Operate with an input frequency of 60 hertz.~~

35 ~~(3) "Ballast efficiency factor" means the ratio of~~
36 ~~relative light output, expressed as a percent, to the power~~
37 ~~input, expressed in watts under test conditions.~~

38 ~~(3)~~(4) "Code" means the Florida Energy Efficiency Code for
39 Building Construction.

40 (4) "Commercial hot food holding cabinet" means a heated,
41 fully enclosed compartment, with one or more solid or partial
42 glass doors, that is designed to maintain the temperature of hot
43 food that has been cooked in a separate appliance. The term
44 excludes heated glass merchandising cabinets, drawer warmers, or
45 cook-and-hold appliances.

46 (5) "Cook-and-hold appliance" means a multiple-mode
47 appliance intended for cooking food which may also be used to
48 hold the temperature of the cooked food in the same appliance.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6

49 ~~(5) "Date of sale" means the day when the product is~~
50 ~~physically delivered to the buyer.~~

51 (6) "Department" means the Department of Community
52 Affairs.

53 (7) "Distributor" means any person or business entity
54 which distributes a privately labeled product on a national
55 basis for which the specifications for manufacture, testing, and
56 certification are established and attested to by the
57 distributor, rather than the manufacturer.

58 (8) "Drawer warmer" means an appliance that consists of
59 one or more heated drawers designed to hold food that has been
60 cooked in a separate appliance at a specified temperature

61 (9)-(8) "Energy efficiency conservation standard" or
62 "energy conservation standard" means:

63 (a) A performance standard which prescribes a minimum
64 level of energy efficiency or a maximum quantity of energy use
65 for a covered product, determined in accordance with applicable
66 test procedures;

67 (b) A design requirement for the products specified in s.
68 553.957; or

69 (c) A testing and rating requirement for the products
70 specified in s. 553.957; and

71
72 includes any other requirements which the department may
73 prescribe.

74 ~~(9) "F40T12 lamp" means a tubular fluorescent lamp which~~
75 ~~is a nominal 40 watts, with a 48 inch tube, 1.5 inches in~~
76 ~~diameter. These lamps conform to American National Standards~~
77 ~~Institute standard C.78.1-1978.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6

78 (10) "Heated glass merchandising cabinet" means an
79 appliance with a heated cabinet constructed of glass or clear
80 plastic doors with 70 percent or more clear area that is
81 designed to display and maintain the temperature of hot food
82 that has been cooked in a separate appliance.

83 (11) "Liquid-immersed distribution transformer" means a
84 distribution transformer that uses oil as a coolant to reduce
85 electricity voltage from the high levels at which power is
86 shipped over utility transmissions and distribution lines to
87 lower levels required to power equipment and machinery.

88 ~~(10) "F96T12 lamp" means a tubular fluorescent lamp which~~
89 ~~is a nominal 75 watts, with a 96 inch tube, 1.5 inches in~~
90 ~~diameter. These lamps conform to American National Standards~~
91 ~~Institute standard C.78.3-1978.~~

92 ~~(11) "Luminaire" means a complete lighting unit consisting~~
93 ~~of a fluorescent lamp or lamps, together with parts designed to~~
94 ~~distribute the light, to position and protect such lamps, and to~~
95 ~~connect such lamps to the power supply.~~

96 (12) "Manufacturer" means any person or business entity
97 engaged in the original production or assembly of a product.

98 (13) "Medium voltage dry-type distribution transformer"
99 means a transformer that has an input voltage of more than 600
100 volts but less than or equal to 34,500 volts, is air-cooled,
101 does not use oil as a coolant, and is rated for operation at a
102 frequency of 60 hertz.

103 (14)~~(13)~~ "New product" means a product that is sold,
104 offered for sale, or installed for the first time and
105 specifically includes floor models and demonstration units.

106 ~~(14) "Nominal input voltage" means an input voltage within~~
107 ~~plus 5 percent or minus 5 percent of a specified value.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6

108 ~~(15) "Nominal lamp watts" means the wattage at which a~~
109 ~~fluorescent lamp is designed to operate.~~

110 (15)(16) "Occupancy" means an occupied building or part of
111 a building.

112 ~~(17) "Operation" means the ability to start the lamp at~~
113 ~~least 8 times out of 10 with a minimum of 1 minute between~~
114 ~~attempts when tested under test conditions.~~

115 (16) "Point of use water dispenser" means a water
116 dispenser that uses a pressurized water utility connection as
117 the source of potable water.

118 ~~(18) "Power input" means the rate of energy consumption in~~
119 ~~watts of a ballast and fluorescent lamp or lamps.~~

120 (17) "Refrigerated bottled or canned beverage vending
121 machine" means a commercial refrigerator that cools bottled or
122 canned beverages and dispenses such beverages upon payment.

123 ~~(19) "Relative light output" means the test ballast light~~
124 ~~output divided by a reference ballast light output using the~~
125 ~~same reference lamp and expressing the value as a percent.~~

126 (18) "Service factor" means a multiplier that, when
127 applied to the rated horsepower of an electric motor driven by
128 an alternating current, indicates a permissible horsepower
129 loading that can be carried under the conditions specified for
130 the service factor.

131 (19) "Thermal efficiency" of a boiler means a measure of
132 the percentage of heat from the combustion of gas or oil that is
133 transferred to the space being heated or in the case of a
134 boiler, to the hot water or steam.

135 (20) "Total horsepower" means a value equal to the product
136 of the motor's service factor and the motor's nameplate-rated

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6

137 horsepower in an electric motor that is driven by an alternating
138 current.

139 (21) "Transformer" means a device consisting of two or
140 more coils of insulated wire that is designed to transfer
141 alternating current by electromagnetic induction from one coil
142 to another to change the original voltage or current value. This
143 term does not include devices with multiple voltage taps, with
144 the highest voltage tap equaling at least 20 percent more than
145 the lowest voltage tap, or devices, such as those commonly known
146 as drive transformers, rectifier transformers, auto-
147 transformers, uninterruptible power system transformers,
148 impedance transformers, regulating transformers, sealed and
149 nonventilating transformers, machine tool transformers, welding
150 transformers, grounding transformers, or testing transformers,
151 that are designed to be used in a special-purpose application
152 and are unlikely to be used in general-purpose applications.

153 (22) "Water dispenser" means a factory-made assembly that
154 mechanically cools and heats potable water and that dispenses
155 the cooled or heated water by integral or remote means.

156 (23) With respect to audio and video equipment:

157 (a) "Active mode" means the condition in which the input
158 of a power supply or audio and video equipment is connected to
159 the line voltage alternating current and the output is connected
160 to a direct current or an alternating current load, fulfilling
161 one or more of its main functions and drawing a fraction of the
162 power supply's nameplate power output greater than zero.

163 (b) "Audio standby-passive mode" means the appliance is
164 connected to a power source and produces neither sound nor
165 performs any mechanical function but can be switched into
166 another mode with the remote control unit or an internal signal.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6

167 (c) "Compact audio product," also known as a "mini,"
168 "mid," "micro," or "shelf audio system," means an integrated
169 audio system encased in a single housing that includes an
170 amplifier and radio tuner and attached or separable speakers and
171 can reproduce audio from magnetic tape, a CD, a DVD, or flash
172 memory. The definition does not include products that can be
173 independently powered by internal batteries or a powered
174 external satellite antenna or can provide a video output signal.

175 (d) "Digital versatile disc" or "DVD" means a laser-
176 encoded plastic medium capable of storing a large amount of
177 digital audio, video, and computer data.

178 (e) "Digital versatile disc player" or "DVD player" means
179 a commercially available electronic product encased in a single
180 housing that includes an integral power supply and for which the
181 sole purpose is the decoding of digitized video signals on a
182 DVD.

183 (f) "Digital versatile disc recorder" or "DVD recorder"
184 means a commercially available electronic product encased in a
185 single housing that includes an integral power supply and for
186 which the sole purpose is the production or recording of
187 digitized audio and video signals on a DVD. The definition does
188 not include models that have an EPG function.

189 (g) "Digital video recorder" or "DVR" means a device that
190 can record video signals onto a hard disk drive or other device
191 capable of storing the images digitally. The definition does not
192 include models that have an EPG function.

193 (h) "Electronic programming guide" or "EPG" means an
194 application that provides an interactive, onscreen menu of TV
195 listings and that downloads program information from the
196 vertical blanking interval of a regular TV signal.

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197 (i) "Point of deployment" or "POD" means a card that
198 enables a TV to have secure conditional access to a cable or
199 satellite system.

200 (j) "Television" or "TV" means a commercially available
201 electronic product consisting of a tuner or receiver and a
202 monitor encased in a single housing that is designed to receive
203 and display an analog or digital video television signal
204 broadcast by an antenna, satellite, cable, or broadband source.
205 The definition does not include multifunction TVs that have VCR,
206 DVD, DVR, or EPG functions or a POD card slot.

207 (k) "TV standby-passive mode" means the condition in which
208 a power supply or audio and video equipment is connected to a
209 power source, does not produce sound or vision, and can be
210 switched to active mode with the remote control unit or an
211 internal signal.

212 (l) "Video cassette recorder" or "VCR" means a
213 commercially available analog recording device that includes an
214 integral power supply and that records television signals onto a
215 tape medium for subsequent viewing.

216 (m) "Video standby-passive mode" means the appliance is
217 connected to a power source, does not perform any mechanical
218 function or produce video or audio output signals, and can be
219 switched into another mode with the remote control unit or an
220 internal signal.

221 (24) With respect to pool and spa equipment:

222 (a) "Coefficient of performance" or "COP" means the ratio
223 of heat output to the total power input in consistent units.

224 (b) "Heat pump pool heater" means an air-to-water heat
225 pump pool heater, employing a compressor, water-cooled
226 condenser, and outdoor air coil in a single package assembly.

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227 (c) "Low-temperature rating," "spa temperature rating,"
 228 and "standard temperature rating" mean the conditions described,
 229 respectively, in the following table:
 230

<u>Reading</u>	<u>Standard Temperature Rating</u>	<u>Low-Temperature Rating</u>	<u>Spa Temperature Rating</u>
<u>Air Temperature</u>	<u>27° C (80.6° F)</u>	<u>10° C (50° F)</u>	<u>27.0° C (80.6° F)</u>
<u>Dry-bulb</u>	<u>21.7° C (71° F)</u>	<u>6.9° C (44.4°</u>	<u>21.7° C (71.0° F)</u>
<u>Wet-bulb</u>		<u>F)</u>	
<u>Relative Humidity</u>	<u>63%</u>	<u>63%</u>	<u>63%</u>
<u>Pool Water Temperature</u>	<u>26.7° C 80° F</u>	<u>26.7° C 80° F</u>	<u>40° C 104° F</u>

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235 (d) "Pool heater" means an appliance designed for heating
236 nonpotable water contained at atmospheric pressure for swimming
237 pools, spas, hot tubs, and similar products.

238 (e) "Portable electric spa" means a factory-built electric
239 spa or hot tub supplied with equipment for heating and
240 circulating water.

241 (f) "Readily accessible on-off switch" of a pool heater
242 means an on-off switch located in a place that can be easily
243 used without the need for tools to remove any covering when the
244 pool heater is on display in a store or when it is installed.

245 (g) "Residential pool pump" means a pump used to circulate
246 and filter pool water in order to maintain clarity.

247 (h) "Thermal efficiency" of a pool heater means a measure
248 of the percentage of heat from the input that is transferred to
249 the water.

250 ~~(20) With respect to refrigerators, freezers, and~~
251 ~~refrigerator freezers:~~

252 ~~(a) "Automatic defrost system" means a defrost system in~~
253 ~~which the defrosting action for all refrigerated surfaces is~~
254 ~~initiated and terminated automatically.~~

255 ~~(b) "Freezer" means a cabinet designed as a unit for the~~
256 ~~storage of food at temperatures of about 0 °F, having the~~
257 ~~ability to freeze food, and having a source of refrigeration~~
258 ~~requiring an energy input.~~

259 ~~(c) "Refrigerator" means a cabinet designed for the~~
260 ~~refrigerated storage of food at temperatures above 32 °F, and~~
261 ~~having a source of refrigeration requiring an energy input. It~~
262 ~~may include a compartment for the freezing and storage of food~~
263 ~~at temperatures below 32 °F, but does not provide a separate low~~
264 ~~temperature compartment designed for the freezing of and the~~

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265 ~~long term storage of food at temperatures below 8 °F. It has~~
266 ~~only one exterior door, but it may have interior doors on~~
267 ~~compartments.~~

268 ~~(d) "Refrigerator freezer" means a cabinet which consists~~
269 ~~of two or more compartments with at least one of the~~
270 ~~compartments designed for the refrigerated storage of foods at~~
271 ~~temperatures above 32 °F, and with at least one of the~~
272 ~~compartments designed for the freezing of and the storage of~~
273 ~~frozen foods at temperatures of 8 °F or below. The source of~~
274 ~~refrigeration requires energy input.~~

275 ~~(25)-(21)~~ Definitions used in the code shall also apply to
276 terms used in this part.

277 Section 89. Section 553.957, Florida Statutes, is amended
278 to read:

279 553.957 Products covered by this part.--

280 (1) The provisions of this part apply to the testing,
281 certification, and enforcement of energy efficiency conservation
282 standards for the following types of new products sold in the
283 state:

284 (a) Bottle-type water dispensers.

285 ~~(a) Refrigerators, refrigerator freezers, and freezers~~
286 ~~which can be operated by alternating current electricity,~~
287 ~~excluding:~~

288 ~~1. Any type designed to be used without doors; and~~

289 ~~2. Any type which does not include a compressor and~~
290 ~~condenser unit as an integral part of the cabinet assembly.~~

291 (b) Commercial boilers.

292 ~~(b) Lighting equipment.~~

293 (c) Commercial hot food holding cabinets.

294 (d) Compact audio products.

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- 295 (e) Digital versatile disc players and recorders.
296 (f) Liquid-immersed distribution transformers.
297 (g) Medium voltage dry-type distribution transformers.
298 (h) Pool heaters.
299 (i) Portable electric spas.
300 (j) Residential pool pumps.
301 (k)~~(e)~~ Showerheads.
302 (l) Vending machines.
303 (m)~~(d)~~ Any other type of consumer product which the
304 department classifies as a covered product as specified in this
305 part.

306 (2) The provisions of this part do not apply to:

307 (a) New products manufactured in the ~~this~~ state and sold
308 outside the state.

309 (b) New products manufactured outside the ~~this~~ state and
310 sold at wholesale in the ~~this~~ state for final retail sale and
311 installation outside the state.

312 (c) Products installed in manufactured homes at the time
313 of construction.

314 (d)~~(e)~~ Products designed expressly for installation and
315 use in recreational vehicles ~~or other equipment designed for~~
316 regular mobile use.

317 Section 90. Section 553.961, Florida Statutes, is amended
318 to read:

319 553.961 Test methods.--

320 (1) The manufacturer shall cause the testing of samples of
321 each model of each product covered by this part. Test procedures
322 identified in the code shall be the accepted test procedures for
323 those products addressed by the code. Test procedures for
324 products not addressed in the code shall be determined by the

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325 department. The department shall use United States Department of
326 Energy approved test methods or, in the absence of such test
327 methods, other appropriate nationally recognized test methods
328 applicable to the respective products. The department may elect
329 to develop and prescribe other test methods based upon the
330 department's determination that use of such other test methods
331 is justified due to decreased cost, increased accuracy, or the
332 general use and acceptance of a specific test method by the
333 industry involved.

334 (2) The department may test products covered by this part.
335 If products are found to not be in compliance with the minimum
336 energy efficiency standards established under this part, the
337 department shall charge the manufacturer of such product for the
338 cost of product purchase and testing and shall provide
339 information to the public on products found not to be in
340 compliance with the standards.

341 (3) The department shall coordinate with the certification
342 programs of other states and federal agencies with similar
343 standards to the maximum extent practicable, including
344 investigating whether certification in another state can serve
345 as a substitute for certification in this state.

346 Section 91. Section 553.963, Florida Statutes, is amended
347 to read:

348 553.963 Energy efficiency ~~conservation~~ standards.--

349 ~~(1) STANDARDS FOR REFRIGERATORS, REFRIGERATOR FREEZERS,~~
350 ~~AND FREEZERS.--~~

351 ~~(a) The following is the maximum energy use allowed in~~
352 ~~kilowatt hours per year for the following products, other than~~
353 ~~those described in paragraph (b), manufactured on or after~~
354 ~~January 1, 1993:~~

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355		Energy
		Standards
		Equations
356	Refrigerators and refrigerator freezers with manual defrost	13.7 AV+267
357	Refrigerator freezers partial automatic defrost	17.4 AV+344
358	Refrigerator freezers automatic defrost with:	
359	Top-mounted freezer without ice	16.7 AV+336
360	Side-mounted freezer without ice	22.4 AV+395
361	Bottom-mounted freezer without ice	22.4 AV+395
362	Top-mounted freezer with through the door ice	18.5 AV+374
363	Side-mounted freezer with through the door ice	24.8 AV+438
364	Upright freezers with:	
365	Manual defrost	8.38 AV+324
366	Automatic defrost.	12.3 AV+477
367	Chest freezers and all other freezers	6.3 AV+282

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368 ~~(b) The standards described in paragraph (a) do not apply~~
 369 ~~to refrigerators and refrigerator freezers with total~~
 370 ~~refrigerated volume exceeding 39 cubic feet or freezers with~~
 371 ~~total refrigerated volume exceeding 30 cubic feet.~~

372 ~~(2) STANDARDS FOR LIGHTING EQUIPMENT.~~

373 ~~(a) Except as provided in paragraph (b), no fluorescent~~
 374 ~~lamp ballast or luminaire manufactured on or after January 1,~~
 375 ~~1989, shall either have a ballast efficiency factor, or contain~~
 376 ~~a ballast with a ballast efficiency factor, less than the~~
 377 ~~following applicable values:~~

378

Ballasts Designed for the Operation of:	Nominal Input Voltage	Total Nominal Lamp Watts	Ballast Efficiency Factor
One F40T12 lamp	120	40	1.805
	277	40	1.805
Two F40T12 lamps	120	80	1.060
	277	80	1.050
Two F96T12 lamps	120	150	0.570
	277	150	0.570

379

380

381

382

383 ~~(b) The standards described in paragraph (a) do not apply~~
 384 ~~to the following types of fluorescent lamp ballasts:~~

- 385 ~~1. Those which have a dimming capability.~~
 386 ~~2. Those intended for use in ambient temperatures of 0 °F~~
 387 ~~or less.~~
 388 ~~3. Those with a power factor of less than 0.60.~~

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389 (1) ~~(3)~~ STANDARDS FOR SHOWERHEADS.--

390 (a) The initial minimum standards for showerheads
391 manufactured on or after January 1, 1988, shall require the
392 limiting of maximum water discharge to 3.00 gallons per minute
393 when tested according to ANSI A112.18.1M-1979.

394 (b) Showerheads manufactured for use in safety spray
395 installations shall be exempt.

396 (2) STANDARDS FOR BOTTLE-TYPE WATER DISPENSERS.--The
397 standby energy consumption of bottle-type water dispensers and
398 point of use water dispensers, dispensing both hot and cold
399 water, shall not exceed 1.2 kWh/day.

400 (3) STANDARDS FOR COMMERCIAL BOILERS.--Commercial boilers
401 shall adopt a standard of no less than 80 percent thermal
402 efficiency for gas-fired boilers and 82 percent thermal
403 efficiency for oil-fired boilers.

404 (4) STANDARDS FOR COMMERCIAL HOT FOOD HOLDING
405 CABINETS.--The idle energy rate of commercial hot food holding
406 cabinets shall be no greater than 40 watts per cubic foot of
407 measured interior volume.

408 (5) STANDARDS FOR AUDIO AND VIDEO EQUIPMENT.--

409 (a) The power usage of audio and video equipment shall not
410 be greater than the applicable values shown in the following
411 table. For equipment that consists of more than one individually
412 powered product, each with a separate main plug, the
413 individually powered products shall each have a power usage not
414 greater than the applicable values shown in the following table:

415

<u>Appliance Type</u>	<u>Maximum Power Usage (Watts)</u>
-----------------------	------------------------------------

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416

Compact Audio Products 2 W in Audio standby-passive mode for those without a permanently illuminated clock display

4 W in Audio standby-passive mode for those with a permanently illuminated clock display

417

Televisions 3 W in TV standby-passive mode

418

Digital Versatile Disc Players and Digital Versatile Disc 3 W in Video standby-passive mode

419

420 (b) Liquid-immersed distribution transformer standards
421 shall not be greater than the applicable values shown in the
422 following table:

423

<u>Rated Power</u>	<u>Minimum</u>	<u>Rated Power Output</u>	<u>Minimum</u>
<u>Output in kVa</u>	<u>Efficiency</u>	<u>in kVa</u>	<u>Efficiency</u>
	<u>%</u>		<u>%</u>

424

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	<u>≥15</u>	<u><25</u>	<u>Single Phase</u>	<u>Three Phase</u>		<u>98.3</u>
425						
	<u>≥25</u>	<u><37.5</u>	<u>98.9</u>	<u>≥30</u>	<u><45</u>	<u>98.6</u>
426						
	<u>≥37.5</u>	<u><50</u>	<u>99.0</u>	<u>≥45</u>	<u><75</u>	<u>98.8</u>
427						
	<u>≥50</u>	<u><75</u>	<u>99.1</u>	<u>≥75</u>	<u><112.5</u>	<u>98.9</u>
428						
	<u>≥75</u>	<u><100</u>	<u>99.2</u>	<u>≥112.5</u>	<u><150</u>	<u>99.0</u>
429						
	<u>≥100</u>	<u><167</u>	<u>99.2</u>	<u>≥150</u>	<u><225</u>	<u>99.1</u>
430						
	<u>≥167</u>	<u><250</u>	<u>99.3</u>	<u>≥225</u>	<u><300</u>	<u>99.2</u>
431						
	<u>≥250</u>	<u><333</u>	<u>99.4</u>	<u>≥300</u>	<u><500</u>	<u>99.2</u>
432						
	<u>≥333</u>	<u><500</u>	<u>99.4</u>	<u>≥500</u>	<u><750</u>	<u>99.3</u>
433						
	<u>≥500</u>	<u><667</u>	<u>99.5</u>	<u>≥750</u>	<u><1000</u>	<u>99.4</u>
434						
	<u>≥667</u>	<u><883</u>	<u>99.6</u>	<u>≥1000</u>	<u><1500</u>	<u>99.4</u>
435						
	<u>883</u>		<u>99.6</u>	<u>≥1500</u>	<u><2000</u>	<u>99.5</u>
436						
				<u>≥2000</u>	<u><2500</u>	<u>99.6</u>
437						
				<u>2500</u>		<u>99.6</u>
438						

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439 (c) Medium voltage dry-type distribution transformer
 440 standards shall not be greater than the applicable values shown
 441 in the following table:
 442

<u>Single Phase</u>			<u>Three Phase</u>		
<u>Rated Power</u>	<u>Minimum</u>		<u>Rated Power</u>	<u>Minimum</u>	
<u>Output in kVa</u>	<u>Efficiency %</u>		<u>Output in kVa</u>	<u>Efficiency %</u>	
<u>≥15</u> <u><25</u>	<u>97.9</u>		<u>≥15</u> <u><30</u>	<u>97.1</u>	
<u>≥25</u> <u><37.5</u>	<u>98.2</u>		<u>≥30</u> <u><45</u>	<u>97.6</u>	
<u>≥37.5</u> <u><50</u>	<u>98.4</u>		<u>≥45</u> <u><75</u>	<u>97.9</u>	
<u>≥50</u> <u><75</u>	<u>98.5</u>		<u>≥75</u> <u><112.5</u>	<u>98.2</u>	
<u>≥75</u> <u><100</u>	<u>98.7</u>		<u>≥112.5</u> <u><150</u>	<u>98.4</u>	
<u>≥100</u> <u><167</u>	<u>98.8</u>		<u>≥150</u> <u><225</u>	<u>98.5</u>	
<u>≥167</u> <u><250</u>	<u>99.0</u>		<u>≥225</u> <u><300</u>	<u>98.7</u>	
<u>≥250</u> <u><333</u>	<u>99.1</u>		<u>≥300</u> <u><500</u>	<u>98.8</u>	
<u>≥333</u> <u><500</u>	<u>99.2</u>		<u>≥500</u> <u><750</u>	<u>99.0</u>	
<u>≥500</u> <u><667</u>	<u>99.3</u>		<u>≥750</u> <u><1000</u>	<u>99.1</u>	

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455	<u>≥667</u>	<u><883</u>	<u>99.3</u>	<u>≥1000</u>	<u><1500</u>	<u>99.2</u>
456	<u>883</u>		<u>99.4</u>	<u>≥1500</u>	<u><2000</u>	<u>99.3</u>
457				<u>≥2000</u>	<u><2500</u>	<u>99.3</u>
458				<u>2500</u>		<u>99.4</u>

459 (6) STANDARDS FOR POOL HEATERS, RESIDENTIAL POOL PUMPS,
460 AND PORTABLE ELECTRIC SPAS.--

461 (a) Natural gas pool heaters shall not be equipped with
462 constant burning pilots.

463 (b) All pool heaters shall have a readily accessible on-
464 off switch that is mounted outside of the heater and that allows
465 shutting off the heater without adjusting the thermostat
466 setting.

467 (c) For heat pump pool heaters, the coefficient of
468 performance at low temperature rating shall not be less than
469 4.0.

470 (d) The thermal efficiency of gas-fired pool heaters and
471 oil-fired pool heaters shall not be less than 80 percent.

472 (e) Pool pump motors shall not be shaded-pole run type.

473 (7) REFRIGERATED CANNED OR BOTTLED BEVERAGE VENDING
474 MACHINES.--

475 (a) Refrigerated canned or bottled beverage vending
476 machines shall be equipped with hard-wired controls or software
477 capable of automatically placing the machine into each of the
478 following low power mode states and automatically returning the
479 machine to its normal operating conditions at the conclusion of
480 the low-power mode:

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481 1. Lighting low power state: lights off for an extended
482 period.

483 2. Refrigeration low power state: the average beverage
484 temperature is allowed to rise above 40° F. for an extended
485 period of time.

486 3. Whole machine low power state: the lights are off and
487 the refrigeration operates in its low-power state.

488

489 The low power mode controls and software shall be capable of
490 onsite adjustments by the vending operator or machine owner.

491 (b) Standards for refrigerated canned or bottled beverage
492 vending machines shall be no greater than the applicable values
493 shown in the following table:

494

Appliance

Maximum Daily Energy
Consumption (kWh)

495

Refrigerated canned or
bottled beverage vending
machines when tested at 90°
F ambient temperature except
multi-package units

0.55(8.66 + (0.009 × C))

496

Refrigerated multi-package
canned or bottled beverage
vending machines when tested
at 75° F ambient temperature

0.55(8.66 + (0.009 × C))

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C=Rated capacity (number of 12-ounce cans)

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(8) STANDARDS FOR DISTRIBUTION TRANSFORMERS.--Medium voltage dry-type distribution transformers shall meet minimum efficiency levels three-tenths of a percentage point higher than the Class 1 efficiency levels for medium voltage distribution transformers specified in Table 4-2 of the "Guide for Determining Energy Efficiency for Distribution Transformers" published by the National Electrical Manufacturers Association, NEMA Standard TP-1-2002.

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(9)~~(4)~~ STANDARDS FOR OTHER COVERED PRODUCTS.--

(a) The department may prescribe an energy efficiency standard for any type or class of covered products of a type specified in s. 553.957, ~~except where precluded by federal law,~~ if the department determines that:

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1. The average per occupancy energy use within this state resulting from performance of products of such type or class exceeded 80 kilowatt hours or its Btu equivalent for any 12 calendar-month period ending before such determination; and
2. Substantial improvement in the energy efficiency of products of such type or class is technologically feasible.

524

525

(c) Any new or amended standard for covered products of a type specified in s. 553.957(1)~~(d)~~ shall not apply to products

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526 manufactured within 2 years after the publication of a final
527 rule establishing such standard.

528 (d) If the department finds during any rulemaking
529 procedure that a state energy efficiency standard requires a
530 waiver from federal preemption, the department shall apply for
531 such a waiver.

532 (10) EFFECTIVE DATES.--

533 (a) By July 1, 2009, the department, in consultation with
534 the Public Service Commission, shall adopt rules in accordance
535 with chapter 120 to implement the minimum energy efficiency
536 standards established under subsections (2) through (8).

537 (b) By July 1, 2010, no new product of a type for which
538 minimum energy efficiency standards are established under
539 subsections (2) through (8) may be sold or offered for sale in
540 the state unless the energy efficiency of the new product meets
541 or exceeds such minimum standards and any rule requirements
542 adopted pursuant to paragraph (a).

543 (c) By July 1, 2011, no new product of a type for which
544 minimum efficiency standards are established under subsections
545 (2) through (8) may be installed in the state unless the energy
546 efficiency of the new product meets or exceeds such minimum
547 efficiency standards and the requirements of rules adopted
548 pursuant to paragraph (a) or as otherwise authorized under this
549 chapter.

550 Section 92. Section 553.975, Florida Statutes, is amended
551 to read:

552 553.975 Report to the Governor and Legislature.--The
553 Public Service Commission shall submit a biennial report to the
554 Governor, the President of the Senate, and the Speaker of the
555 House of Representatives, concurrent with the report required by

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556 s. 366.82(8)~~(4)~~, beginning in 1990. Such report shall include an
557 evaluation of the effectiveness of these standards on energy
558 efficiency in this state.



Committee on

ENRC

Date

3-26-08

#69

WLD

Action

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No.

1 to Amendment 6

Bill No.

PCB

01

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

Representative(s)/The Committee on

Randolph

offered the following amendment:

Amendment

on page

~~00~~ 4

, line

83

Strike Lines 83-87.

Strike Lines 98-102.

Strike Lines ~~000~~ 139-152,

Strike Lines 296-297.

Strike Lines 420 - 458.

Strike Lines 499 - 506.

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Amendment No. 7

Bill No. PCB ENRC 08-01

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

*Amendment 7a
is a substitute for this
and therefore superceded*

1 Council/Committee hearing bill: Environment and Natural
 2 Resources Council
 3 Representative(s) Mayfield offered the following:

Amendment

6 Remove line(s) 5115-5149 and insert:

7 Section 91. Subsection (7) is added to section 366.04,
 8 Florida Statutes, to read:

9 (1) As used in this act the term "affected municipal
 10 electric utility" means a municipality that operates an electric
 11 utility that serves two cities in the same county, is located in
 12 a non-charter county, has between 30,000 and 35,000 retail
 13 electric customers as of September 30, 2007, and does not have a
 14 service territory that extends beyond its home county as of
 15 September 30, 2007.

16 (2) (a) Each affected municipal electric utility shall hold
 17 a binding referendum of all its retail electric customers, with
 18 each named retail electric customer having one vote, coincident
 19 with the next general election following the effective date of
 20 this act.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 7

21 (b) The binding referendum required by sub-section (2)(a)
22 of this act shall ask the retail electric customers of the
23 affected municipal electric utility whether or not a separate
24 electric utility authority should be created to operate the
25 electric utility business of the affected municipal electric
26 utility.

27 (c) If greater than a majority of the affected municipal
28 electric utility's retail electric customers vote in favor of
29 creating a separate electric utility authority, then the
30 affected municipal electric utility shall transfer operations of
31 its electric utility business to a duly created separate
32 electric utility authority on or before July 1, 2009.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 7a

Bill No. PCB ENRC 08-01

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____



1 Council/Committee hearing bill: Environment and Natural
2 Resources Council

3 Representative(s) Mayfield offered the following:

4
5 **Substitute Amendment for Amendment No. 7 by Representative**
6 **Mayfield**

7 Remove line(s) 5115-5149 and insert:

8 Section 91. Subsection (7) is added to section 366.04,
9 Florida Statutes, to read:

10 (1) As used in this act the term "affected municipal
11 electric utility" means a municipality that operates an electric
12 utility that serves two cities in the same county, is located in
13 a non-charter county, has between 30,000 and 35,000 retail
14 electric customers as of September 30, 2007, and does not have a
15 service territory that extends beyond its home county as of
16 September 30, 2007.

17 (2) (a) Each affected municipal electric utility shall
18 conduct a referendum election of all of its retail electric
19 customers, with each named retail electric customer having one
20 vote, concurrent with the next regularly scheduled general
21 election following the effective date of this act.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 7a

22 (b) The ballot for the referendum election required in
23 paragraph (a) shall contain the following question: "Should a
24 separate electric utility authority be created to operate the
25 business of the electric utility in the affected municipal
26 electric utility?" The statement must be followed by the word
27 "yes and also by the word "no."

28 (c) The provisions of the Election Code relating to notice
29 and conduct of the election shall be followed to the extent
30 practicable. Costs of the referendum election shall be borne by
31 the affected municipal electric utility.

32 (d) If a majority of the affected municipal electric
33 utility's retail electric customers vote in favor of creating a
34 separate electric utility authority, then the affected municipal
35 electric utility shall transfer operations of its electric
36 utility business to a duly-created authority on or before July
37 1, 2009.

38
39
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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8

Bill No. **PCB ENRC 08-01**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN (Y/N)
OTHER _____

w/p

1 Council/Committee hearing bill: Environment & Natural Resources
2 Council

3 Representative(s) Kendrick offered the following:

4
5 **Amendment**

6 Between line(s) 5149 and 5150 insert:

7 Section 92. Whereby the Florida Legislature recognizes the
8 need for the State of Florida to be a leader in the
9 manufacturing and distribution of alternative fuels such as
10 ethanol and biodiesel. The Legislature directs the Department
11 of Management Services to coordinate with an entity to develop a
12 Statewide Biofuels Educational Resource campaign for Public and
13 Private Sector Fleet Management Operators and Managers.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 9

Bill No. **PCB ENRC 08-01**

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Council/Committee hearing bill: Environment & Natural Resources
 2 Council
 3 Representative(s) Sasso offered the following:

Amendment (with title amendment)

Remove line 1140 and insert:

7 (d) When procuring new vehicles, all state agencies, state
 8 universities, community colleges and local governments that
 9 purchase vehicles under a state purchasing plan, shall

10 -----
 11
 12
 13 **T I T L E A M E N D M E N T**

14 Remove line(s) 90 and insert:
 15 state agencies, state universities, community colleges and local
 16 governments that purchase vehicles under a state purchasing plan
 17 to maintain vehicles according to minimum
 18

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

PCB ENRC 08-15 : Agricultural Emergency Eradication Trust Fund

Favorable With Amendments - The strike-all amendment was adopted without objection

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Debbie Boyd	X				
Mary Brandenburg	X				
Faye Culp	X				
Richard Glorioso			X		
Denise Grimsley				X	
Will Kendrick	X				
Paige Kreegel			X		
Rick Kriseman	X				
Richard Machek	X				
Bryan Nelson	X				
Ralph Poppell	X				
Stephen Precourt	X				
Scott Randolph	X				
Anthony Sasso III	X				
Baxter Troutman			X		
Trudi Williams	X				
Stan Mayfield (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

Bill No. **PCB ENRC 08-15**

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

A

1 Council hearing bill: Environment & Natural Resources Council
 2 Representative Mayfield offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (c) of subsection (4) of section
 7 215.20, Florida Statutes, is amended to read:

8 215.20 Certain income and certain trust funds to
 9 contribute to the General Revenue Fund.--

10 (4) The income of a revenue nature deposited in the
 11 following described trust funds, by whatever name designated, is
 12 that from which the appropriations authorized by subsection (3)
 13 shall be made:

14 (c) Within the Department of Agriculture and Consumer
 15 Services:

16 1. The Agricultural Emergency Eradication Trust Fund.

17 2 ~~1.~~ The Conservation and Recreation Lands Program Trust
 18 Fund.

19 3 ~~2.~~ The General Inspection Trust Fund and subsidiary
 20 accounts thereof, unless a different percentage is authorized by
 21 s. 570.20.

22 4 ~~3.~~ The Division of Licensing Trust Fund.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

23 Section 2. Section 570.191, Florida Statutes, is amended
24 to read:

25 570.191 Agricultural Emergency Eradication Trust Fund.--
26 There is created in the office of the commissioner the
27 Agricultural Emergency Eradication Trust Fund. Funds in the
28 trust fund may be made available for the promotion, advancement,
29 and protection of agriculture in this state, including
30 maintaining or increasing market share and suppressing or
31 eradicating wildfire, animal or plant disease, insect
32 infestation, or a plant or pest that endangers or threatens
33 agriculture upon certification by the commissioner that an
34 agricultural emergency exists and that funds specifically
35 appropriated for the emergency's purpose are exhausted or
36 insufficient to eliminate the agricultural emergency. The term
37 "agricultural emergency" means an animal or plant disease,
38 insect infestation, or plant or pest endangering or threatening
39 the horticultural, aquacultural, or other agricultural interests
40 in this state.

41 Section 3. Section 570.1911, Florida Statutes, is
42 repealed.

43 Section 4. Subsection (2) of section 570.20, Florida
44 Statutes, is amended to read:

45 (2) The sum of \$300,000 received annually into the General
46 Inspection Trust Fund shall be transferred to the General
47 Revenue Fund. It shall be transmitted in equal monthly payments
48 until the total is received in the General Revenue Fund. This
49 paragraph shall expire July 1, 2013. For the 2007-2008 fiscal
50 year only and notwithstanding any other provision of law to the
51 contrary, in addition to the spending authorized in subsection
52 (1), moneys in the General Inspection Trust Fund may be
53 appropriated for programs operated by the department which are

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

54 ~~related to the programs authorized by this chapter. This~~
55 ~~subsection expires July 1, 2008.~~

56 Section 5. Section 581.212, Florida Statutes, is amended
57 to read:

58 Section 581.212 Handling of moneys received.—All moneys
59 received by the department under the provisions of this chapter
60 shall be deposited in the Plant Industry Trust Fund and shall be
61 used by the department to defray its expenses in carrying out
62 the duties imposed on it by this chapter. The sum of \$300,000
63 received annually into the Plant Industry Trust Fund shall be
64 transferred to the General Revenue Fund. It shall be transmitted
65 in equal monthly payments until the total is received in the
66 General Revenue Fund. This paragraph shall expire July 1, 2013.

67 Section 6. Section 585.105, Florida Statutes, is repealed.

68 Section 7. Subsection (2) of section 589.08, Florida
69 Statutes, is amended to read:

70 589.08 Land acquisition restrictions.—

71 (2) The division may receive, hold the custody of, and
72 exercise the control of any lands, and set aside into a
73 separate, distinct and inviolable fund, the proceeds which may
74 be derived from the sales of the products of such lands, the use
75 thereof in any manner, or the sale of such lands save the 25
76 percent of the proceeds thereof to be paid into the State School
77 Fund as provided by law. The division may use and apply such
78 funds for the acquisition, use, custody, management,
79 development, or improvement of any lands vested in or subject to
80 the control of such division. ~~After full payment has been made~~
81 ~~for the purchase of a state forest, to the Federal Government or~~
82 ~~other grantor, then 15 percent of the gross receipts from a~~
83 ~~state forest shall be paid to the county or counties in which it~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

84 ~~is located in proportion to the acreage located in each county~~
85 ~~for use by the county or counties for school purposes.~~

86 Section 8. Section 589.081, Florida Statutes, is repealed.

87 Section 9. This act shall take effect July 1, 2008.

88

89 -----

90 **T I T L E A M E N D M E N T**

91 Remove the entire title and insert:

92

93 An act relating to the Department of Agriculture and
94 Consumer Services; amending s. 215.20, F.S., relating to
95 the service charge on income of trust funds; amending s.
96 570.191, F.S.; providing that money in the Agricultural
97 Emergency Eradication Trust Fund be made under certain
98 circumstances; including promotion, advancement, and
99 protection of agriculture in this state; repealing s.
100 570.1911, F.S., relating to notice of certification of an
101 agricultural emergency; amending s. 570.20(2); providing
102 for the distribution of funds from the General Inspection
103 Trust Fund to General Revenue; amending Section 581.212;
104 providing for the distribution of funds from the Plant
105 Industry Trust Fund to General Revenue; repealing s.
106 585.105, F.S., relating to the purchase, distribution, and
107 administration of approved brucella vaccine; amending
108 589.08(2); eliminating the percentage of distribution to
109 counties for state forest receipts; repealing s. 589.081,
110 F.S., relating to the portion of gross receipts from
111 Withlacoochee State Forest and Goethe State Forest to
112 certain counties; providing an effective date.

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

PCB ENRC 08-16 : Reorganization of the Department of Environmental Protection

Favorable With Amendments - strike-all amendment was adopted

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Debbie Boyd	X				
Mary Brandenburg	X				
Faye Culp	X				
Richard Glorioso			X		
Denise Grimsley				X	
Will Kendrick	X				
Paige Kreegel			X		
Rick Kriseman	X				
Richard Macheck	X				
Bryan Nelson	X				
Ralph Poppell	X				
Stephen Precourt	X				
Scott Randolph	X				
Anthony Sasso III	X				
Baxter Troutman				X	
Trudi Williams	X				
Stan Mayfield (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

Bill No. PCB ENRC 08-16

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

A

1 Council/Committee hearing bill: Environment & Natural Resources
2 Council

3 Representative Kendrick offered the following:

4

5 **Strike-All Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (2) and (3) of section 20.255, Florida
8 Statutes, is amended to read:

9 20.255 Department of Environmental Protection.--There is
10 created a Department of Environmental Protection.

11 (2) (a) There shall be three deputy secretaries who
12 are to be appointed by and shall serve at the pleasure of the
13 secretary. The secretary may assign any deputy secretary the
14 responsibility to supervise, coordinate, and formulate policy
15 for any division, office, or district. The following special
16 offices are established and headed by managers, each of whom is
17 to be appointed by and serve at the pleasure of the secretary:

- 18 1. Office of Chief of Staff,
- 19 2. Office of General Counsel,
- 20 3. Office of Inspector General,
- 21 4. Office of External Affairs,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

22 5. Office of Legislative Affairs, ~~and Government Affairs,~~
23 ~~and~~

24 6. Office of Intergovernmental Programs, and

25 76. Office of Greenways and Trails.

26 (b) There shall be six administrative districts involved
27 in regulatory matters of waste management, water resource
28 management, wetlands, and air resources, which shall be headed
29 by managers, each of whom is to be appointed by and serve at the
30 pleasure of the secretary. Divisions of the department may have
31 one assistant or two deputy division directors, as required to
32 facilitate effective operation.

33

34 The managers of all divisions and offices specifically named in
35 this section and the directors of the six administrative
36 districts are exempt from part II of chapter 110 and are
37 included in the Senior Management Service in accordance with s.
38 110.205(2)(j).

39 (3) The following divisions of the Department of
40 Environmental Protection are established:

41 (a) Division of Administrative Services.

42 (b) Division of Air Resource Management.

43 (c) Division of Water Resource Management.

44 (d) Division of Law Enforcement.

45 (e) Division of Environmental Assessment and Restoration
46 ~~Resource Assessment and Management.~~

47 (f) Division of Waste Management.

48 (g) Division of Recreation and Parks.

49 (h) Division of State Lands, the director of which is to
50 be appointed by the secretary of the department, subject to
51 confirmation by the Governor and Cabinet sitting as the Board of
52 Trustees of the Internal Improvement Trust Fund.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

53 In order to ensure statewide and intradepartmental consistency,
54 the department's divisions shall direct the district offices and
55 bureaus on matters of interpretation and applicability of the
56 department's rules and programs.

57 Section 2. Subsection (4) of section 253.01, Florida
58 Statutes is created to read:

59 (4) The sum of \$400,000 received annually in the Internal
60 Improvement Trust Fund shall be transferred to the General
61 Revenue Fund. It shall be transmitted in equal monthly payments
62 until the total sum is received in the General Revenue Fund.
63 This paragraph shall expire on July 1, 2013.

64 Section 3. Section 258.034, Florida Statutes, is amended
65 to read:

66 258.034 State Park Trust Fund created.—

67 (1) There is created a "State Park Trust Fund" to which
68 shall be credited all money deposited in the State Treasury by
69 appropriations, or from any other source, whether in trust, by
70 gift, devise, fees, rentals, and charges, together with any
71 unexpended balance of any appropriation heretofore made for the
72 expenditure of public funds toward the support, maintenance, and
73 preservation of any monument, memorial, or historic site which
74 under this chapter comes under the jurisdiction of the Division
75 of Recreation and Parks, to be expended by the division for the
76 administration, improvement, and maintenance of state parks and
77 historic memorials by this chapter placed under the jurisdiction
78 of the division and for the acquisition and development of lands
79 hereafter acquired for state park purposes.

80 (2) The sum of \$5.1 million received annually in the State
81 Park Trust Fund shall be transferred to the General Revenue
82 Fund. It shall be transmitted in equal monthly payments until

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

83 the total sum is received in the General Revenue Fund. This
84 paragraph shall expire on July 1, 2013.

85 Section 4. Paragraph (b) of subsection (11) of section
86 259.032, Florida Statutes, is amended, and a new subsection (16)
87 is added to said section, to read:

88 259.032 Conservation and Recreation Lands Trust Fund;
89 purpose.—

90 (11) (a) The Legislature recognizes that acquiring lands
91 pursuant to this chapter serves the public interest by
92 protecting land, air, and water resources which contribute to
93 the public health and welfare, providing areas for natural
94 resource based recreation, and ensuring the survival of unique
95 and irreplaceable plant and animal species. The Legislature
96 intends for these lands to be managed and maintained for the
97 purposes for which they were acquired and for the public to have
98 access to and use of these lands where it is consistent with
99 acquisition purposes and would not harm the resources the state
100 is seeking to protect on the public's behalf.

101 (b) An amount up to 1.5 percent of the cumulative total of
102 funds ever deposited into the Florida Preservation 2000 Trust
103 Fund and the Florida Forever Trust Fund shall be made available
104 for the purposes of management, maintenance, and capital
105 improvements not eligible for funding pursuant to s. 11(e), Art.
106 VII of the State Constitution, and for associated contractual
107 services, for lands acquired pursuant to this section, s.
108 259.101, s. 259.105, s. 259.1052, or previous programs for the
109 acquisition of lands for conservation and recreation, including
110 state forests, to which title is vested in the board of trustees,
111 and other conservation and recreation lands managed by a state
112 agency. ~~Of this amount, \$250,000 shall be transferred annually~~
113 ~~to the Plant Industry Trust Fund within the Department of~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

114 ~~Agriculture and Consumer Services for the purpose of~~
115 ~~implementing the Endangered or Threatened Native Flora~~
116 ~~Conservation Grants Program pursuant to s. 581.185(11).~~ Each
117 agency with management responsibilities shall annually request
118 from the Legislature funds sufficient to fulfill such
119 responsibilities. For the purposes of this paragraph, capital
120 improvements shall include, but need not be limited to,
121 perimeter fencing, signs, firelanes, access roads and trails,
122 and minimal public accommodations, such as primitive campsites,
123 garbage receptacles, and toilets. Any equipment purchased with
124 funds provided pursuant to this paragraph may be used for the
125 purposes described in this paragraph on any conservation and
126 recreation lands managed by a state agency.

127 (16) The sum of \$18.2 million received annually in the
128 Conservation and Recreation Lands Trust Fund shall be
129 transferred to the General Revenue Fund. It shall be transmitted
130 in equal monthly payments until the total sum is received in the
131 General Revenue Fund. This paragraph shall expire on July 1,
132 2013.

133 Section 5. The Bureau of Invasive Plant Management, as
134 authorized and governed by sections 369.20, 369.22, and 369.252,
135 Florida Statutes, are transferred by a type two transfer, as
136 defined in section 20.06(2), Florida Statutes, from the
137 Department of Environmental Protection to the Fish and Wildlife
138 Conservation Commission. Notwithstanding section 20.06(2),
139 Florida Statutes, the authority of sections 369.25 and 369.251,
140 Florida Statutes, is transferred to the Department of
141 Agriculture and Consumer Services.

142 Section 6. Section 369.25, Florida Statutes, is amended to
143 read:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

144 369.25 Aquatic plants; definitions; permits; powers of
145 department; penalties.—

146 (1) As used in this section, the term:

147 (a) "Aquatic plant" means any plant, including a floating,
148 emersed, submersed, or ditch bank species, growing in, or
149 closely associated with, an aquatic environment and includes any
150 part or seed of such plant.

151 (b) "Department" means the Department of Agriculture and
152 Consumer Services ~~Environmental Protection~~.

153 (c) "Nonnursery cultivation" means the tending of aquatic
154 plant species for harvest in the natural environment.

155 (d) "Noxious aquatic plant" means any part, including, but
156 not limited to, seeds or reproductive parts, of an aquatic plant
157 which has the potential to hinder the growth of beneficial
158 plants, interfere with irrigation or navigation, or adversely
159 affect the public welfare or the natural resources of this
160 state.

161 (e) "Person" includes a natural person, a public or
162 private corporation, a governmental entity, or any other kind of
163 entity.

164 (2) No person shall engage in any business involving the
165 importation, transportation, nonnursery cultivation, collection,
166 sale, or possession of any aquatic plant species without a
167 permit issued by the department ~~or the Department of Agriculture~~
168 ~~and Consumer Services~~. No person shall import, transport,
169 nonnursery cultivate, collect, sell, or possess any noxious
170 aquatic plant listed on the prohibited aquatic plant list
171 established by the department without a permit issued by the
172 department ~~or the Department of Agriculture and Consumer~~
173 ~~Services~~. No permit shall be issued until the department
174 determines that the proposed activity poses no threat or danger

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

175 to the waters, wildlife, natural resources, or environment of
176 the state.

177 (3) The department has the following powers:

178 (a) To make such rules governing the importation,
179 transportation, nonnursery cultivation, collection, and
180 possession of aquatic plants as may be necessary for the
181 eradication, control, or prevention of the dissemination of
182 noxious aquatic plants that are not inconsistent with rules of
183 the Department of Environmental Protection or the Fish and
184 Wildlife Conservation Commission ~~Agriculture and Consumer~~
185 ~~Services~~.

186 (b) To establish by rule lists of aquatic plant species
187 regulated under this section, including those exempted from such
188 regulation, provided the Department of Environmental Protection
189 ~~Agriculture and Consumer Services~~ and the Fish and Wildlife
190 Conservation Commission approve such lists prior to the lists
191 becoming effective.

192 (c) To evaluate an aquatic plant species through research
193 or other means to determine whether such species poses a threat
194 or danger to the waters, wildlife, natural resources, or
195 environment of the state.

196 (d) To declare a quarantine against aquatic plants,
197 including the vats, pools, or other containers or bodies of
198 water in which such plants are growing, except in aquatic plant
199 nurseries, to prevent the dissemination of any noxious aquatic
200 plant.

201 (e) To make rules governing the application for, issuance
202 of, suspension of, and revocation of permits under this section.

203 (f) To enter into cooperative agreements with any person
204 as necessary or desirable to carry out and enforce the
205 provisions of this section.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

206 (g) To purchase all necessary supplies, material, and
207 equipment and accept all grants and donations useful in the
208 implementation and enforcement of the provisions of this
209 section.

210 (h) To enter upon and inspect any facility or place,
211 ~~except aquatic plant nurseries regulated by the Department of~~
212 ~~Agriculture and Consumer Services,~~ where aquatic plants are
213 cultivated, held, packaged, shipped, stored, or sold, or any
214 vehicle of conveyance of aquatic plants, to ascertain whether
215 the provisions of this section and department regulations are
216 being complied with, and to seize and destroy, without
217 compensation, any aquatic plants imported, transported,
218 cultivated, collected, or otherwise possessed in violation of
219 this section or department regulations.

220 (i) To conduct a public information program, including,
221 but not limited to, erection of road signs, in order to inform
222 the public and interested parties of this section and its
223 associated rules and of the dangers of noxious aquatic plant
224 introductions.

225 ~~(j) To adopt rules requiring the revegetation of a site on~~
226 ~~sovereignty lands where excessive collection has occurred.~~

227 (jk) To enforce this chapter in the same manner and to the
228 same extent as provided in ss. 581.211403.121, 403.131, 403.141,
229 ~~and 403.161.~~

230 (4) The department shall adopt rules which limit the
231 sanctions available for violations under this act to quarantine
232 and confiscation:

233 (a) If the prohibited activity apparently results from
234 natural dispersion; or

235 (b) If a small amount of noxious aquatic plant material
236 incidentally adheres to a boat or boat trailer operated by a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

237 person who is not involved in any phase of the aquatic plant
238 business and if that person is not knowingly violating this act.

239 (5) (a) Any person who violates the provisions of this
240 section is guilty of a misdemeanor of the second degree,
241 punishable as provided in s. 775.082 or s. 775.083.

242 (b) All law enforcement officers of the state and its agencies
243 with power to make arrests for violations of state law shall
244 enforce the provisions of this section.

245 Section 7. Subsection (13) of section 373.59, Florida
246 Statutes, is created to read:

247 (13) The sum of \$30 million received annually in the Water
248 Management Lands Trust Fund shall be transferred to the General
249 Revenue Fund. It shall be transmitted in equal monthly payments
250 until the total sum is received in the General Revenue Fund.
251 This paragraph shall expire on July 1, 2013.

252 Section 8. Subsection (7) of section 376.11, Florida
253 Statutes, is created to read:

254 (7) The sum of \$1.3 million received annually in the
255 Coastal Protection Trust Fund shall be transferred to the
256 General Revenue Fund. It shall be transmitted in equal monthly
257 payments until the total sum is received in the General Revenue
258 Fund. This paragraph shall expire on July 1, 2013.

259 Section 9. Subsection (8) of section 376.307, Florida
260 Statutes is created to read:

261 (8) The sum of \$2 million received annually in the Water
262 Quality Assurance Trust Fund shall be transferred to the General
263 Revenue Fund. It shall be transmitted in equal monthly payments
264 until the total sum is received in the General Revenue Fund.
265 This paragraph shall expire on July 1, 2013.

266 Section 10. Subsection (15) of section 376.3071, Florida
267 Statutes, is created to read:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

268 (15) The sum of \$52.4 million received annually in the
269 Inland Protection Trust Fund shall be transferred to the General
270 Revenue Fund. It shall be transmitted in equal monthly payments
271 until the total sum is received in the General Revenue Fund.
272 This paragraph shall expire on July 1, 2013.

273 Section 11. Section 403.890, Florida Statutes, is amended
274 to read:

275 403.890 Water Protection and Sustainability Program;
276 intent; goals; purposes.--

277 ~~(1) Effective July 1, 2006, revenues transferred from the~~
278 ~~Department of Revenue pursuant to s. 201.15(1)(d)2. shall be~~
279 ~~deposited into the Water Protection and Sustainability Program~~
280 ~~Trust Fund in the Department of Environmental Protection. These~~
281 ~~revenues and any other additional revenues deposited into or~~
282 ~~appropriated to the Water Protection and Sustainability Program~~
283 ~~Trust Fund shall be distributed by the Department of~~
284 ~~Environmental Protection in the following manner:~~

285 ~~— (a) Sixty percent to the Department of Environmental~~
286 ~~Protection for the implementation of an alternative water supply~~
287 ~~program as provided in s. 373.1961.~~

288 ~~— (b) Twenty percent for the implementation of best~~
289 ~~management practices and capital project expenditures necessary~~
290 ~~for the implementation of the goals of the total maximum daily~~
291 ~~load program established in s. 403.067. Of these funds, 85~~
292 ~~percent shall be transferred to the credit of the Department of~~
293 ~~Environmental Protection Water Quality Assurance Trust Fund to~~
294 ~~address water quality impacts associated with nonagricultural~~
295 ~~nonpoint sources. Fifteen percent of these funds shall be~~
296 ~~transferred to the Department of Agriculture and Consumer~~
297 ~~Services General Inspection Trust Fund to address water quality~~
298 ~~impacts associated with agricultural nonpoint sources. These~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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299 ~~funds shall be used for research, development, demonstration,~~
300 ~~and implementation of the total maximum daily load program under~~
301 ~~s. 403.067, suitable best management practices or other measures~~
302 ~~used to achieve water quality standards in surface waters and~~
303 ~~water segments identified pursuant to s. 303(d) of the Clean~~
304 ~~Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.~~
305 ~~Implementation of best management practices and other measures~~
306 ~~may include cost share grants, technical assistance,~~
307 ~~implementation tracking, and conservation leases or other~~
308 ~~agreements for water quality improvement. The Department of~~
309 ~~Environmental Protection and the Department of Agriculture and~~
310 ~~Consumer Services may adopt rules governing the distribution of~~
311 ~~funds for implementation of capital projects, best management~~
312 ~~practices, and other measures. These funds shall not be used to~~
313 ~~abrogate the financial responsibility of these point and~~
314 ~~nonpoint sources that have contributed to the degradation of~~
315 ~~water or land areas. Increased priority shall be given by the~~
316 ~~department and the water management district governing boards to~~
317 ~~those projects that have secured a cost sharing agreement~~
318 ~~allocating responsibility for the cleanup of point and nonpoint~~
319 ~~sources.~~

320 ~~—— (c) Ten percent shall be disbursed for the purposes of~~
321 ~~funding projects pursuant to ss. 373.451-373.459 or surface~~
322 ~~water restoration activities in water management district-~~
323 ~~designated priority water bodies. The Secretary of Environmental~~
324 ~~Protection shall ensure that each water management district~~
325 ~~receives the following percentage of funds annually:~~

326 ~~—— 1. Thirty five percent to the South Florida Water~~
327 ~~Management District;~~

328 ~~—— 2. Twenty five percent to the Southwest Florida Water~~
329 ~~Management District;~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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330 ~~3. Twenty five percent to the St. Johns River Water~~
331 ~~Management District;~~
332 ~~4. Seven and one half percent to the Suwannee River Water~~
333 ~~Management District; and~~
334 ~~5. Seven and one half percent to the Northwest Florida~~
335 ~~Water Management District.~~
336 ~~(d) Ten percent to the Department of Environmental~~
337 ~~Protection for the Disadvantaged Small Community Wastewater~~
338 ~~Grant Program as provided in s. 403.1838.~~
339 (1) Effective July 1, 2008 and ending July 1, 2013, \$62
340 million shall be annually transferred to the General Revenue
341 Fund. The remaining funds are to be utilized exclusively for
342 best management practices and capital project expenditures
343 necessary for the implementation of the goals of the total
344 maximum daily load program established in s. 403.067. Of these
345 funds, 83.33 percent shall be transferred to the credit of the
346 Department of Environmental Protection Water Quality Assurance
347 Trust Fund to address water quality impacts associated with
348 nonagricultural nonpoint sources. Sixteen and sixty-seven
349 hundredths percent of these funds shall be transferred to the
350 Department of Agriculture and Consumer Services General
351 Inspection Trust Fund to address water quality impacts
352 associated with agricultural nonpoint sources. These funds shall
353 be used for research, development, demonstration, and
354 implementation of the total maximum daily load program under s.
355 403.067, suitable best management practices or other measures
356 used to achieve water quality standards in surface waters and
357 water segments identified pursuant to s. 303(d) of the Clean
358 Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.
359 Implementation of best management practices and other measures
360 may include cost-share grants, technical assistance,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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361 implementation tracking, and conservation leases or other
362 agreements for water quality improvement. The Department of
363 Environmental Protection and the Department of Agriculture and
364 Consumer Services may adopt rules governing the distribution of
365 funds for implementation of capital projects, best management
366 practices, and other measures. These funds shall not be used to
367 abrogate the financial responsibility of those point and
368 nonpoint sources that have contributed to the degradation of
369 water or land areas. Increased priority shall be given by the
370 department and the water management district governing boards to
371 those projects that have secured a cost-sharing agreement
372 allocating responsibility for the cleanup of point and nonpoint
373 sources. This paragraph shall expire on July 1, 2013.

374 (2) ~~Beginning~~ ~~Applicable~~ ~~beginning~~ in the 2013-2014 ~~2007-~~
375 ~~2008~~ fiscal year, revenues transferred from the Department of
376 Revenue pursuant to s. 201.15(1)(d)2. shall be deposited into
377 the Water Protection and Sustainability Program Trust Fund in
378 the Department of Environmental Protection. These revenues and
379 any other additional revenues deposited into or appropriated to
380 the Water Protection and Sustainability Program Trust Fund shall
381 be distributed by the Department of Environmental Protection in
382 the following manner:

383 (a) Sixty-five percent to the Department of Environmental
384 Protection for the implementation of an alternative water supply
385 program as provided in s. 373.1961.

386 (b) Twenty-two and five-tenths percent for the
387 implementation of best management practices and capital project
388 expenditures necessary for the implementation of the goals of
389 the total maximum daily load program established in s. 403.067.
390 Of these funds, 83.33 percent shall be transferred to the credit
391 of the Department of Environmental Protection Water Quality

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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392 Assurance Trust Fund to address water quality impacts associated
393 with nonagricultural nonpoint sources. Sixteen and sixty-seven
394 hundredths percent of these funds shall be transferred to the
395 Department of Agriculture and Consumer Services General
396 Inspection Trust Fund to address water quality impacts
397 associated with agricultural nonpoint sources. These funds shall
398 be used for research, development, demonstration, and
399 implementation of the total maximum daily load program under s.
400 403.067, suitable best management practices or other measures
401 used to achieve water quality standards in surface waters and
402 water segments identified pursuant to s. 303(d) of the Clean
403 Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.
404 Implementation of best management practices and other measures
405 may include cost-share grants, technical assistance,
406 implementation tracking, and conservation leases or other
407 agreements for water quality improvement. The Department of
408 Environmental Protection and the Department of Agriculture and
409 Consumer Services may adopt rules governing the distribution of
410 funds for implementation of capital projects, best management
411 practices, and other measures. These funds shall not be used to
412 abrogate the financial responsibility of those point and
413 nonpoint sources that have contributed to the degradation of
414 water or land areas. Increased priority shall be given by the
415 department and the water management district governing boards to
416 those projects that have secured a cost-sharing agreement
417 allocating responsibility for the cleanup of point and nonpoint
418 sources.

419 (c) Twelve and five-tenths percent to the Department of
420 Environmental Protection for the Disadvantaged Small Community
421 Wastewater Grant Program as provided in s. 403.1838.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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422 (d) On June 30, 2009, and every 24 months thereafter, the
423 Department of Environmental Protection shall request the return
424 of all unencumbered funds distributed pursuant to this section.
425 These funds shall be deposited into the Water Protection and
426 Sustainability Program Trust Fund and redistributed pursuant to
427 the provisions of this section.

428 ~~(3) For fiscal year 2005-2006, funds deposited or~~
429 ~~appropriated into the Water Protection and Sustainability~~
430 ~~Program Trust Fund shall be distributed as follows:~~

431 ~~—— (a) One hundred million dollars to the Department of~~
432 ~~Environmental Protection for the implementation of an~~
433 ~~alternative water supply program as provided in s. 373.1961.~~

434 ~~—— (b) Funds remaining after the distribution provided for in~~
435 ~~subsection (1) shall be distributed as follows:~~

436 ~~—— 1. Fifty percent for the implementation of best management~~
437 ~~practices and capital project expenditures necessary for the~~
438 ~~implementation of the goals of the total maximum daily load~~
439 ~~program established in s. 403.067. Of these funds, 85 percent~~
440 ~~shall be transferred to the credit of the Department of~~
441 ~~Environmental Protection Water Quality Assurance Trust Fund to~~
442 ~~address water quality impacts associated with nonagricultural~~
443 ~~nonpoint sources. Fifteen percent of these funds shall be~~
444 ~~transferred to the Department of Agriculture and Consumer~~
445 ~~Services General Inspection Trust Fund to address water quality~~
446 ~~impacts associated with agricultural nonpoint sources. These~~
447 ~~funds shall be used for research, development, demonstration,~~
448 ~~and implementation of suitable best management practices or~~
449 ~~other measures used to achieve water quality standards in~~
450 ~~surface waters and water segments identified pursuant to s.~~
451 ~~303(d) of the Clean Water Act, Pub. L. No. 92-500, 33 U.S.C. ss.~~
452 ~~1251 et seq. Implementation of best management practices and~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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453 ~~other measures may include cost share grants, technical~~
454 ~~assistance, implementation tracking, and conservation leases or~~
455 ~~other agreements for water quality improvement. The Department~~
456 ~~of Environmental Protection and the Department of Agriculture~~
457 ~~and Consumer Services may adopt rules governing the distribution~~
458 ~~of funds for implementation of best management practices. These~~
459 ~~funds shall not be used to abrogate the financial responsibility~~
460 ~~of those point and nonpoint sources that have contributed to the~~
461 ~~degradation of water or land areas. Increased priority shall be~~
462 ~~given by the department and the water management district~~
463 ~~governing boards to those projects that have secured a cost-~~
464 ~~sharing agreement allocating responsibility for the cleanup of~~
465 ~~point and nonpoint sources.~~

466 ~~—— 2. Twenty five percent for the purposes of funding~~
467 ~~projects pursuant to ss. 373.451-373.459 or surface water~~
468 ~~restoration activities in water management district designated~~
469 ~~priority water bodies. The Secretary of Environmental Protection~~
470 ~~shall ensure that each water management district receives the~~
471 ~~following percentage of funds annually:~~

472 ~~—— a. Thirty five percent to the South Florida Water~~
473 ~~Management District;~~

474 ~~—— b. Twenty five percent to the Southwest Florida Water~~
475 ~~Management District;~~

476 ~~—— c. Twenty five percent to the St. Johns River Water~~
477 ~~Management District;~~

478 ~~—— d. Seven and one half percent to the Suwannee River Water~~
479 ~~Management District; and~~

480 ~~—— e. Seven and one half percent to the Northwest Florida~~
481 ~~Water Management District.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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482 ~~3. Twenty five percent to the Department of Environmental~~
483 ~~Protection for the Disadvantaged Small Community Wastewater~~
484 ~~Grant Program as provided in s. 403.1838.~~

485
486 ~~Prior to the end of the 2008 Regular Session, the Legislature~~
487 ~~must review the distribution of funds under the Water Protection~~
488 ~~and Sustainability Program to determine if revisions to the~~
489 ~~funding formula are required. At the discretion of the President~~
490 ~~of the Senate and the Speaker of the House of Representatives,~~
491 ~~the appropriate substantive committees of the Legislature may~~
492 ~~conduct an interim project to review the Water Protection and~~
493 ~~Sustainability Program and the funding formula and make written~~
494 ~~recommendations to the Legislature proposing necessary changes,~~
495 ~~if any.~~

496 ~~(4) In addition to the uses allowed in subsection (2) for~~
497 ~~the 2007-2008 fiscal year, interest earnings accumulated in the~~
498 ~~Water Protection and Sustainability Program Trust Fund shall be~~
499 ~~transferred to the Ecosystem Management and Restoration Trust~~
500 ~~Fund for grants and aids to local governments for water projects~~
501 ~~as provided in the General Appropriations Act. This subsection~~
502 ~~expires July 1, 2008.~~

503 Section 12. Section 3 of chapter 2004-101, L.O.F., is
504 created to read:

505 (3) The sum of \$1.1 million received annually in the Air
506 Pollution Control Trust Fund shall be transferred to the General
507 Revenue Fund. It shall be transmitted in equal monthly payments
508 until the total sum is received in the General Revenue Fund.
509 This paragraph shall expire on July 1, 2013.

510 Section 13. This act shall take effect July 1, 2008.
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Amendment No.

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T I T L E A M E N D M E N T

Remove the entire title and insert:

A bill to be entitled

An act relating to the Department of Environmental Protection; amending s. 20.255, F.S.; revising the organizational structure in the Department of Environmental Protection to reallocate funds to conform to changes in distributions made by the act; amending s. 253.01, F.S.; redirecting a certain amount of funds from the Internal Improvement Trust Fund to the General Revenue Fund; providing an expiration date; amending s. 258.034, F.S.; redirecting a certain amount of funds from the State Park Trust Fund to the General Revenue Fund; providing an expiration date; amending s. 259.032, F.S.; redirecting a certain amount of funds from the Conservation and Recreation Lands Trust Fund to the General Revenue Fund; deleting a certain amount of funds transferred to the Plant Industry Trust Fund; providing an expiration date; transferring the Bureau of Invasive Plant Management from the Department of Environmental Protection to the Fish and Wildlife Conservation Committee; excluding the transfer of authority in sections 369.25 and 369.251, Florida Statutes, which is transferred to the Department of Agriculture and Consumer Services; amending s. 369.25, F.S., relating to the transfer of the Bureau of Invasive Plant Management; amending s. 373.59, F.S., redirecting a certain amount of funds from the Water Management Lands Trust Fund to the General Revenue Fund; providing an expiration date; amending s. 376.11, F.S.; redirecting a certain amount of funds from the Coastal Protection Trust

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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544 Fund to the General Revenue Fund; providing an expiration
545 date; amending 376.307, F.S.; redirecting a certain amount
546 of funds from the Water Quality Assurance Trust Fund to
547 the General Revenue Fund; providing an expiration date;
548 amending s. 376.3071, F.S.; redirecting a certain amount
549 of funds from the Inland Protection Trust Fund to the
550 General Revenue Fund; providing an expiration date;
551 amending s. 403.890, F.S.; redirecting a certain amount of
552 funds from the Water Protection and Sustainability Program
553 Trust Fund to the General Revenue Fund; providing an
554 expiration date; amending ch. 2004-101, L.O.F.;
555 redirecting a certain amount of funds from the Air
556 Pollution Control Trust Fund to the General Revenue Fund;
557 providing an expiration date; providing an effective date.
558

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

PCB ENRC 08-17 : Marine Resources Conservation Trust Fund

Favorable With Amendments - the strike-all amendment was adopted without objection

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Debbie Boyd	X				
Mary Brandenburg	X				
Faye Culp	X				
Richard Glorioso			X		
Denise Grimsley				X	
Will Kendrick	X				
Paige Kreegel			X		
Rick Kriseman	X				
Richard Machek	X				
Bryan Nelson	X				
Ralph Poppell	X				
Stephen Precourt	X				
Scott Randolph	X				
Anthony Sasso III	X				
Baxter Troutman				X	
Trudi Williams			X		
Stan Mayfield (Chair)	X				
Total Yeas: 12 Total Nays: 0					

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

Bill No. PCB ENRC 08-17

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____



1 Council/Committee hearing bill: Environment and Natural
 2 Resources

3 Representative(s) Mayfield offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7

8 Section 1. Subsection (5) of section 370.0603, Florida
 9 Statutes, is created to read:

10 370.0603 Marine Resources Conservation Trust Fund;
 11 purposes.—

12 (5) The sum of \$2 million received annually into the Marine
 13 Resources Conservation Trust Fund shall be transferred to the
 14 General Revenue Fund. It shall be transmitted in equal monthly
 15 payments until the total is received in the General Revenue
 16 Fund. This paragraph shall expire July 1, 2013.

17

18 Section 2. Subsection (1) and (2) of section 372.09,
 19 Florida Statutes, are created to read:

20 372.09 State Game Trust Fund.—

21 (1) The funds resulting from the operation of the
 22 commission and from the administration of the laws and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

23 regulations pertaining to birds, game, fur-bearing animals,
24 freshwater fish, reptiles, and amphibians, together with any
25 other funds specifically provided for such purposes shall
26 constitute the State Game Trust Fund and shall be used by the
27 commission as it shall deem fit in carrying out the provisions
28 hereof and for no other purposes, except that annual use fees
29 deposited into the trust fund from the sale of the Largemouth
30 Bass license plate may be expended for the purposes provided
31 under [1]s. 320.08058(18). The commission may not obligate
32 itself beyond the current resources of the State Game Trust Fund
33 unless specifically so authorized by the Legislature.

34 (2) The sum of \$210,000 received annually into the State
35 Game Trust Fund shall be transferred to the General Revenue
36 Fund. It shall be transmitted in equal monthly payments until
37 the total is received in the General Revenue Fund. This
38 paragraph shall expire July 1, 2013.

39 Section 3. This act shall take effect July 1, 2008.

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44 **T I T L E A M E N D M E N T**

45 Remove the entire title and insert:

46 An act relating to trust funds, amending s. 370.0603;
47 providing for the distribution of funds from the Marine
48 Resources Conservation Trust Fund to General Revenue;
49 amending s. 372.09; providing for the distribution of
50 funds from the State Game Trust Fund to General Revenue;
51 providing an effective date.
52

COUNCIL MEETING REPORT
Environment & Natural Resources Council

3/26/2008 9:00:00AM

Location: 404 HOB

Workshop

Council Recommendations for the 2008-09 Budget

Workshopped

Committee meeting was reported out: Wednesday, March 26, 2008 3:35:24PM

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request				Governor's Recommendation				House Proposal							
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE		GEN REV NR	ALL TRUST FUNDS	ALL FUNDS
1	DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES																1
2	1100000 STARTUP (RECURRING LAW AND POLICY) OPERATING	3,800	127,902,987		168,162,644	296,065,631	3,800	127,902,987		168,162,644	296,065,631	3,800	127,902,987		168,162,644	296,065,631	2
3	160E010 BACK OUT CONTRACTUAL SERVICES BUDGET FROM EXPENSES				(140,000)	(140,000)									(140,000)	(140,000)	3
4	160E020 ADD BACK CONTRACTUAL SERVICES BUDGET TO A CONTRACTED SERVICES CATEGORY				140,000	140,000									140,000	140,000	4
5	1601480 CONTINUATION BUDGET AMENDMENT DACS-026/B0411-FIRE RISK ASSESSMENT SYSTEM				547,817	547,817									547,817	547,817	5
6	1601630 CONTINUATION OF AMENDMENT DACS-037/ B0440 TO TRANSFER 2 MKTING PSNS TO LICENSING & TRANSFER OF EXPENSES TO CONTRACT SERVICES WITHIN LICENSING	2			172,280	172,280						2			172,280	172,280	6
7	1601640 CONTINUATION OF AMENDMENT DACS-037/ B0440 TO TRANSFER 2 MKTING PSNS TO LICENSING.	(2)			(67,337)	(67,337)						(2)			(67,337)	(67,337)	7
8	1604500 REALLOCATION OF HUMAN RESOURCES OUTSOURCING							(55,060)		(51,245)	(106,305)		(55,060)		(51,245)	(106,305)	8
9	24010C0 INFORMATION TECHNOLOGY INFRASTRUCTURE REPLACEMENT		970,600	970,600		970,600											9
10	2401000 REPLACEMENT EQUIPMENT		480,000	480,000	120,000	600,000											10
11	2401500 REPLACEMENT OF MOTOR VEHICLES		236,201		1,088,000	1,324,201				800,000	800,000						11
12	2503080 DIRECT BILLING FOR ADMINISTRATIVE HEARINGS							2,799		7,062	9,861		2,799		7,062	9,861	12
13	2601480 ANNUALIZATION OF BUDGET AMENDMENT DACS-026/B0411-FIRE RISK ASSESSMENT SYSTEM				108,379	108,379									108,379	108,379	13
14	3002120 TRANSFER FTE FROM ADMINISTRATION TO THE DIVISION OF LICENSING	(1)															14
15	3002130 TRANSFER FTE TO LICENSING FROM THE DIVISION OF ADMINISTRATION	1			42,115	42,115											15
16	3005800 COOPERATIVE BIOLOGICAL CONTROL PROJECTS	6			149,198	149,198	6			149,198	149,198						16
17	33B0090 REDUCE MOSQUITO CONTROL PROGRAM									(86,646)	(86,646)				(86,646)	(86,646)	17
18	33B0510 ELIMINATE SMALL COUNTY TECHNICAL ASSISTANCE PROGRAM							(266,000)			(266,000)		(266,000)			(266,000)	18
19	33B0620 REDUCTION IN AQUACULTURE DEVELOPMENT - TRANSFER TO IFAS FOR TROPICAL AQUACULTURE LAB - RUSKIN							(121,260)			(121,260)		(121,260)			(121,260)	19
20	33B0660 ELIMINATION OF ENDANGERED PLANT GRANTS IN THE DIVISION OF PLANT INDUSTRY									(250,000)	(250,000)				(250,000)	(250,000)	20
21	33B0700 ELIMINATE 1 POSITION AND RELATED EXPENSE FOR THE AGRICULTURAL MUSEUM IN THE DIVISION OF MARKETING						(1)			(69,899)	(69,899)	(1)	(75,810)			(75,810)	21
22	33B0770 ELIMINATE 1 POSITION IN THE CITRUS TREE SURVEY PROGRAM IN THE DIVISION OF PLANT INDUSTRY						(1)			(46,208)	(46,208)						22
23	33B0800 REDUCE LP GAS EXPENSE FOR PIPELINE INSP AND TRAVEL EXPENSE FOR FAIR RIDES AND PETROLEUM INSP AND OCO BASE FOR THE DIVISION OF STANDARDS									(168,000)	(168,000)				(168,000)	(168,000)	23
24	33H0400 BUDGET REDUCTIONS BASED ON RELEASE HOLDBACK REVIEW									(370,000)	(370,000)				(370,000)	(370,000)	24
25	3300610 REDUCE THE DIVISION OF STANDARDS						(5)			(217,000)	(217,000)	(4)	(100,000)		(130,200)	(230,200)	25
26	3305100 REDUCE GENERAL REVENUE BASED 4 YEAR HISTORY OF 5% TRANSFERS							(1,110,981)			(1,110,981)		(1,110,981)			(1,110,981)	26
27	3306000 REDUCE EXCESS BUDGET AUTHORITY									(1,200,000)	(1,200,000)						27
28	33xxxxx INVESTIGATIVE SPECIALIST IN PENSACOLA											(1)	(46,020)			(46,020)	28
29	33xxxxx REDUCTIONS IN COMMISSIONER'S OFFICE											(2)	(212,390)			(212,390)	29
30	33xxxxx ELIMINATE FORESTRY YOUTH ACADEMY											(35)	(214,000)		(1,824,832)	(2,038,832)	30
31	33xxxxx ELIMINATE THE CONTRACT FOR SERVICES ASSOCIATED WITH THE SUPPORT FOR THE DEPARTMENT'S GEOGRAPHIC INFORMATION SYSTEM												(55,000)			(55,000)	31
32	33xxxxx SALARY LAPSE SWEEP IN DIVISION OF DAIRY												(22,767)			(22,767)	32

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request				Governor's Recommendation					House Proposal						
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	
33	33xxxx											(3.0)	(227,926)			(227,926)	33
34	33xxxx												(26,000)			(26,000)	34
35	33xxxx											(2)	(100,000)			(100,000)	35
36	33xxxx												(100,000)				36
37	33xxxx											(6)	(297,517)				37
38	33xxxx												(140,000)				38
39	33xxxx											(1)	(62,800)				39
40	33xxxx											(1)	(54,100)				40
41	33xxxx											(1)	(38,840)				41
42	33xxxx											(1)	(46,208)				42
43	33xxxx											(3)	(79,200)				43
44	33xxxx														(995,000)	(995,000)	44
45	34xxxx												(995,000)		995,000	-	45
46	34xxxx												(2,500,000)		2,500,000	-	46
47	34xxxx												(484,148)		484,148	-	47
48	34xxxx												(44,883)		44,883	-	48
49	34xxxx												(300,000)		300,000	-	49
50	34xxxx												(300,000)		300,000	-	50
51	34xxxx												(393,200)		393,200	-	51
52	34xxxx												(800,096)		800,096	-	52
53	34xxxx												(19,817)		19,817	-	53
54	34N0580												(1,000,000)		1,000,000	-	54
55	3400230	(3)	(285,800)														55
56	3400240	3			285,800	285,800											56
57	3400370		(583,916)														57
58	3400380				583,916	583,916											58
59	3400390												(946,134)		(946,134)		59
60	3400410														946,134	946,134	60

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request				Governor's Recommendation				House Proposal											
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE		GEN REV NR	ALL TRUST FUNDS	ALL FUNDS				
61	3400440									(2,000,000)					(2,000,000)				(2,000,000)	61	
62	3400450																		2,000,000	2,000,000	62
63	36250C0																		795,000	795,000	63
64	36310C0																		350,000	350,000	64
65	36311C0	1																	57,013	57,013	65
66	36312C0																		258,361	258,361	66
67	4505A00		1,237,170																1,237,170		67
68	4508A00		914,166																66,890	981,056	68
69	4900180																		500,000	500,000	69
70	4900190		1,234,666																32,666	1,267,332	70
71	4900250																		1,000,000	1,000,000	71
72	4900400																		730,000	730,000	72
73	4900420		500,000	500,000															500,000	500,000	73
74	4900440	1																	85,700	85,700	74
75	4900480																		330,000	330,000	75
76	4900500																		400,000	400,000	76
77	4900540		750,000	750,000															750,000		77
78	4900730		600,000	600,000															600,000		78
79	4900740		500,000	500,000															500,000	500,000	79
80	4900750		2,046,147	2,046,147															2,046,147		80
81	4900830																		950,000	950,000	81
82	4900930		700,000																550,000	550,000	82
83	4900960		500,000	500,000															500,000	500,000	83
84	4901820																		200,000	200,000	84
85	4902A00		121,091																805,152	926,243	85
86	4902350																		100,000	100,000	86
87	4902530		418,000	418,000															418,000	418,000	87
88	4902570	5																	978,880	978,880	88
89	4902810																		5,430,029	5,430,029	89
90	4902850																		12,555,113	12,555,113	90
91	4903700		53,000																214,820	267,820	91
92	4904007		1,500,000	1,500,000															1,500,000		92
93	4904100																		418,458	418,458	93
94	4905280		75,000	75,000															75,000		94
95	4906600																		8,407,197	8,407,197	95
96	4906700																		1,069,597	1,069,597	96
97	4907410																		1,835,667	1,835,667	97
98	4908400																		1,597,102	1,597,102	98
99	4909980																		347,500	347,500	99
100	5200010		6,000,000	6,000,000															6,000,000	6,000,000	100
101	54R0000																		(187,699)	(89,472)	101
102	6601060																		490,000	490,000	102
103	6601200																		283,662	283,662	103
104	6603210																		106,170	106,170	104
105	6603300																		215,984	215,984	105
106	6603600																		344,432	344,432	106

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request					Governor's Recommendation					House Proposal				
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS
107	6603800				81,600	81,600										
108	990C000															
109	083701								206,700	206,700				206,700	206,700	
110	083715				206,700	206,700										
111	990G000															
112	146558		25,000,000	25,000,000		25,000,000										
113	990L000															
114	083045				4,500,000				4,500,000	4,500,000						
115	083054				2,400,000									1,400,000	1,400,000	
116	087501				110,000											
117	990M000															
118	080956		300,000	300,000		300,000										
119	083703				220,500	220,500										
120	083960								220,500	220,500				220,500	220,500	
121	083850		400,000	400,000		400,000										
122	083578		850,000	850,000		850,000										
123	083755		483,000	483,000		483,000										
124	990S000															
125	083643				600,000	600,000			600,000	600,000				600,000	600,000	
126	083606		400,000	400,000		400,000										
127	083649		325,000	325,000		325,000										
128	083791				1,200,000	1,200,000										
129	083855		3,000,000	3,000,000		3,000,000										
130	083778		3,388,150	3,388,150		3,388,150			3,388,150	3,388,150				3,388,150	3,388,150	
131																
132	AGRIC/CONSUMER SVCS/COMMR Total		3,819	172,902,312	41,372,747	219,667,009	385,559,917	3,800	122,218,652	202,845,790	325,064,442	3,740	118,482,930	4,000,000	202,386,894	320,839,324
133																
134	DEPARTMENT OF CITRUS															
135	1100000	STARTUP (RECURRING LAW AND POLICY) - OPERATING	76			67,238,723	67,238,723	76		67,238,723	67,238,723	76		67,238,723	67,238,723	
136	1604500	REALLOCATION OF HUMAN RESOURCES OUTSOURCING							(5,626)	(5,626)				(5,626)	(5,626)	
137	24010C0	INFORMATION TECHNOLOGY INFRASTRUCTURE REPLACEMENT				67,700	67,700		67,700	67,700				4,400	4,400	
138	2401000	REPLACEMENT EQUIPMENT				45,000	45,000		45,000	45,000				45,000	45,000	
139	54R0000	CASUALTY INSURANCE PREMIUM ADJUSTMENT							(54,583)	(54,583)				(54,583)	(54,583)	
140	CITRUS, DEPT OF Total		76			67,351,423	67,351,423	76		67,291,214	67,291,214	76		67,227,914	67,227,914	
141																
142	DEPARTMENT OF ENVIRONMENTAL PROTECTION			#REF!		#REF!	927,191,408									
143	1100000	STARTUP (RECURRING LAW AND POLICY) - OPERATING	3,621	31,395,545		461,419,958	492,815,503	3,621	31,395,545	461,419,958	492,815,503	3,621	31,395,545	461,419,958	492,815,503	
144	1604500	REALLOCATION OF HUMAN RESOURCES OUTSOURCING							(447)	(3,348)	(3,795)			(447)	(3,348)	
145	1800300	REALIGN RESOURCES FOR ENVIRONMENTAL SCIENCES, PUBLIC OUTREACH, AND ENTERPRISE INFORMATION TECHNOLOGY FROM CURRENT STRUCTURE	(311)	(1,538,977)		(39,021,039)	(40,560,016)									
146	1800310	REALIGN RESOURCES FOR ENVIRONMENTAL SCIENCES, PUBLIC OUTREACH, AND ENTERPRISE INFORMATION TECHNOLOGY TO NEW STRUCTURE	311	1,538,977		39,021,039	40,560,016									
147	1804300	REALIGNMENT OF TRAIL PROPERTIES TO GREENWAYS AND TRAILS FROM DIVISION OF RECREATION AND PARKS	1			68,757	68,757					1		68,757	68,757	
148	1804310	REALIGNMENT OF TRAIL PROPERTIES FROM DIVISION OF RECREATION AND PARKS TO GREENWAYS AND TRAILS	(1)			(68,757)	(68,757)					(1)		(68,757)	(68,757)	
149	2503080	DIRECT BILLING FOR ADMINISTRATIVE HEARINGS							7,569	7,569				7,569	7,569	
150	3200100	REDUCE GRANT SPENDING AUTHORITY TO ALIGN WITH CURRENT GRANT REVENUES				(113,784)	(113,784)							(113,784)	(113,784)	
151	3200110	DELETE FEDERAL GRANT BUDGET AUTHORITY				(1,600,048)	(1,600,048)							(1,600,048)	(1,600,048)	
152	33B3570	EMERGENCY RESPONSE - HAZARDOUS WASTE CLEANUP FUNDING							(281,821)	(281,821)				(381,821)	(381,821)	

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request				Governor's Recommendation					House Proposal									
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS				
153	33B5000										(8)	(551,277)			(551,277)	(551,277)	153			
154	33B5010										8			551,277	551,277	551,277	154			
155	33B5020													(302,073)	(302,073)	(100,000)	155			
156	33B5030													(450,000)	(450,000)	(450,000)	156			
157	33B6110													(399,414)	(399,414)	-	157			
158	33B7020													(100,000)	(100,000)	(250,000)	158			
159	33H0400													(46,982)	(4,103,663)	(4,150,645)	(4,078,663)	159		
160	33V0700										(1)	(180,677)			(180,677)	(180,677)	90,139	(90,538)	160	
161	33V6250													(86,646)	(86,646)	(86,646)	(86,646)	(86,646)	161	
162	33V6340															(250,000)	(250,000)	(250,000)	162	
163	33xxxx															(250,000)	(250,000)	(4,471,322)	(4,471,322)	163
164	33xxxx																(28,007)	(28,007)	(28,007)	164
165	33xxxx																(70,000)	(70,000)	(70,000)	165
166	33xxxx																(1,337,592)	(1,337,592)	(1,337,592)	166
167	33xxxx																(41,100)	(41,100)	(41,100)	167
168	33xxxx																(21,635)	(21,635)	(21,635)	168
169	33xxxx																(470,275)	(470,275)	(470,275)	169
170	33xxxx																(237,288)	(237,288)	(237,288)	170
171	33xxxx																(100,000)	(100,000)	(100,000)	171
172	33xxxx																(300,000)	(300,000)	(300,000)	172
173	33xxxx																(50,999)	(50,999)	(50,999)	173
174	33xxxx																(1,545,000)	(1,545,000)	(1,545,000)	174
175	33xxxx																(13,700)	(13,700)	(13,700)	175
176	33xxxx																(125,000)	(125,000)	(125,000)	176
177	33xxxx																(150,000)	(150,000)	(150,000)	177
178	33xxxx																(750,000)	(750,000)	(750,000)	178
179	33xxxx																(500,000)	(500,000)	(500,000)	179
180	33xxxx																(10,000)	(10,000)	(10,000)	180
181	33xxxx																(606,986)	(606,986)	(606,986)	181
182	33xxxx																(4,500,000)	(4,500,000)	(4,500,000)	182
183	33xxxx																(100,000)	(100,000)	(100,000)	183
184	33xxxx																(399,414)	(399,414)	(399,414)	184

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request					Governor's Recommendation					House Proposal						
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS		
185	33xxxx															(300,000)	(300,000)	185
186	33xxxx															(578,663)	(578,663)	186
187	33xxxx															(50,000)	(50,000)	187
188	33xxxx															(56,906)	(56,906)	188
189	33xxxx															(214,897)	(214,897)	189
190	33xxxx															(5,234,470)	(5,234,470)	190
191	33xxxx															(101,700)	(101,700)	191
192	33xxxx															(445,895)	(445,895)	192
193	33xxxx															(150,000)	(150,000)	193
194	33xxxx											(1.0)	(38,000)				(38,000)	194
195	33xxxx															(1,000,000)	(1,000,000)	195
196	33xxxx															(18,030)	(18,030)	196
197	33xxxx											(3)				(1,593,307)	(1,593,307)	197
198	33xxxx											(3)				(118,024)	(118,024)	198
199	34F0010					(36,843,795)										(36,843,563)	(36,843,563)	199
200	34F0020					36,843,795										36,843,563	36,843,563	200
201	3400A10	(3)				(194,091)						(3)				(194,091)	(194,091)	201
202	3400A20	3				194,091						3				194,091	194,091	202
203	3400110					(65,529)										(65,529)	(65,529)	203
204	3400120					65,529										65,529	65,529	204
205	3400130					(1,878,987)												205
206	3400140					1,878,987												206
207	3400360											(3,840,000)				(3,840,000)		207
208	3400370															3,840,000	3,840,000	208

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request					Governor's Recommendation					House Proposal					
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	
236	6200550				1,415,000	1,415,000										-	236
237	6200560				2,074,060	2,074,060										-	237
238	72xxxx																238
239	72xxxx																239
240	7200300													250,000	250,000		240
241	7200500		10,000,000	10,000,000				10,000,000	10,000,000					2,000,000	2,000,000		241
242	7200700							10,000,000	10,000,000								242
243	7300A10	10															243
244	7300170				450,000	450,000									450,000	450,000	244
245	7300210		3,000,000	3,000,000													245
246	7300240				376,800	376,800											246
247	7800A10				149,225	149,225											247
248	78003C0				855,605	855,605				855,605	855,605						248
249	7900A10	5															249
250	7900580				200,000	200,000											250
251	7900590				30,000	30,000											251
252	99A0000				434,375,905	434,375,905								434,375,905	434,375,905		252
253	990D000				4,959,847	4,959,847											253
254	990E000									16,745,297	16,745,297			(678,898)	(678,898)		254
255	140122				2,639,438	2,639,438											255
256	141117				200,000,000	200,000,000				2,639,438	2,639,438			2,639,438	2,639,438		256
257	083753				2,450,000	2,450,000				200,000,000	200,000,000						257
258	088964				18,000,000	18,000,000											258
259	140076				18,500,000	18,500,000				17,429,490	17,429,490			18,000,000	18,000,000		259
260	140126				30,000,000	30,000,000											260
261	080888		18,200,000	18,200,000						20,000,000	20,000,000			15,000,000	15,000,000		261
262	088962		20,000,000	20,000,000						18,200,000	18,200,000			9,100,000	9,100,000		262
263	140047				30,000,000	30,000,000				5,000,000	5,000,000						263
264	140055													43,100,000	43,100,000		264
265	140076				5,000,000	5,000,000				25,000,000	25,000,000						265
266	140129		7,400,000	7,400,000	57,290,000	64,690,000				20,100,000	20,100,000			5,000,000	5,000,000		266
267	140131		7,200,000	7,200,000	110,570,000	117,770,000				64,690,000	64,690,000		6,800,000	6,800,000	64,690,000	71,490,000	267
268	143276				20,300,000	20,300,000				117,770,000	117,770,000		6,800,000	6,800,000	117,770,000	124,570,000	268
269	149931				52,000,000	52,000,000				20,300,000	20,300,000			10,300,000	10,300,000		269
270	080524				10,149,548	10,149,548				60,000,000	60,000,000						270
271	082474				4,000,000	4,000,000				10,149,548	10,149,548			10,149,548	10,149,548		271
272	086000				50,000	50,000				2,000,000	2,000,000			2,000,000	2,000,000		272
273	087888				161,000,000	161,000,000								50,000	50,000		273
274	088502				4,200,000	4,200,000				157,000,000	157,000,000			105,000,000	105,000,000		274
275	140134				14,526,541	14,526,541				4,200,000	4,200,000			4,200,000	4,200,000		275
276	140011									9,310,000	9,310,000			15,000,000	15,000,000		276
277	146556				847,000	847,000			7,500,000	7,500,000							277
278	146558		12,500,000	12,500,000						847,000	847,000			847,000	847,000		278
279	990G000								40,000,000	40,000,000							279
280	140061				2,200,000	2,200,000											280
281	140185				1,900,000	1,900,000				2,200,000	2,200,000			2,200,000	2,200,000		281
282	140001				1,200,000	1,200,000				1,900,000	1,900,000			1,900,000	1,900,000		282
283	140002				6,000,000	6,000,000				1,200,000	1,200,000			1,200,000	1,200,000		283
284	990I000									6,000,000	6,000,000			36,205,750	36,205,750		284
285	081117				7,730,000	7,730,000											285

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request				Governor's Recommendation					House Proposal									
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS				
286	089081																			
287	990L000																		-	286
																				287
288	080111																			-
																				-
289	083045																			-
																				-
290	084108																			-
																				-
291	140124																			-
																				-
292	990M000																			-
																				-
293	080039																			-
																				-
294	080126																			-
																				-
295	080159																			-
																				-
296	080956																			-
																				-
297	087118																			-
																				-
298	088130																			-
																				-
299	088137																			-
																				-
300	088140																			-
																				-
301	088154																			-
																				-
302	990S000																			-
																				-
303	080148																			-
																				-
304	080156																			-
																				-
305	080164																			-
																				-
306	080205																			-
																				-
307	080207																			-
																				-
308	080563																			-
																				-
309	080945																			-
																				-
310	087736																			-
																				-
311	087979																			-
																				-
312	087939																			-
																				-
313	083643																			-
																				-
314																				-
																				-
315	ENVIR PROTECTION, DEPT OF Total	3,653	109,695,545	78,300,000	2,027,266,842	2,136,962,387	3,651	91,276,162	67,500,000	2,161,644,378	2,242,920,540	3,652	40,976,228	13,600,000	1,401,294,982	1,442,271,210				-
																				-
316																				-
																				-
317	FISH AND WILDLIFE CONSERVATION COMMISSION																			-
																				-
318	1100000																			-
																				-
319	160S070																			-
																				-
320	160S080																			-
																				-
321	1600080																			-
																				-
322	1600090																			-
																				-
323	1601250																			-
																				-
324	1604500																			-
																				-
325	1605000																			-
																				-
326	1605010																			-
																				-
327	1606080																			-
																				-
328	1606090																			-
																				-
329	2401500																			-
																				-
330	2503080																			-
																				-
331	2601010																			-
																				-
332	3006000																			-
																				-

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request					Governor's Recommendation					House Proposal																
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS												
333	33B1000									(850,000)					(850,000)				-	333								
334	33B2000									(80,000)					(80,000)				-	334								
335	33B4000													(124,800)	(124,800)				-	335								
336	33B5000									(1,200,000)					(1,200,000)				-	336								
337	33B9000													(210,000)	(210,000)			(210,000)	(210,000)	337								
338	33H0400									(71,333)				(1,640,128)	(1,711,461)				-	338								
339	33V1000													(524,000)	(524,000)			(524,000)	(524,000)	339								
340	33V5100													(184,544)	(184,544)			(184,544)	(184,544)	340								
341	33V5200													(100,000)	(100,000)			(100,000)	(100,000)	341								
342	33XXXXX																	(800,246)	(800,246)	342								
343	34XXXXX																	800,246	800,246	343								
344	34F4400																		157,000	157,000	344							
345	34F4410																		(157,000)	(157,000)	345							
346	34F4440														(1,000,000)	(1,000,000)			(1,000,000)	(1,000,000)	346							
347	34F4450														1,000,000	1,000,000			1,000,000	1,000,000	347							
348	34xxxxxxx																		(850,000)	850,000	-	348						
349	34xxxxxxx																		(1,200,000)	1,200,000	-	349						
350	3402080																		(490,806)	(490,806)	350							
351	3402090																		490,806	490,806	351							
352	3404110														(1,639,216)	(1,639,216)					-	352						
353	3404120																		1,639,216	1,639,216	-	353						
354	3406550																		(1,000,000)	(1,000,000)	-	354						
355	3406560																		1,000,000	1,000,000	-	355						
356	34XXXXX																			(1,245,937)	1,245,937	-	356					
357	36230CO																						-	357				
358	36320CO																							-	358			
359	36344CO																							-	359			
360	4002000																			(350,000)	(350,000)			(350,000)	(350,000)	360		
361	4002010																			350,000	350,000			350,000	350,000	361		
362	4201000																			12,500,000	12,500,000			12,500,000	12,500,000	362		
363	4402800																				1,000,000	1,000,000	4		3,727,875	3,727,875	363	
364	4403300																								-	364		
365	4403400																									160,000	160,000	365

ENVIRONMENT AND NATURAL RESOURCES COUNCIL

D3A Issue	D3A ISSUE TITLE	Agency Amended Request				Governor's Recommendation					House Proposal					
		FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS	FTE	GENERAL REVENUE	GEN REV NR	ALL TRUST FUNDS	ALL FUNDS
366	4403500				50,000	50,000										
367	4404A00		3,469,897		389,460	3,859,357			50,000	50,000				50,000	50,000	
368	4406000	3			629,405	629,405										
369	4605000				186,633	186,633										
370	4606000				40,000	40,000			186,633	186,633				186,633	186,633	
371	5000700				132,000	132,000			40,000	40,000				40,000	40,000	
372	54R0000								132,000	132,000				132,000	132,000	
373	6502200	1	800,000	800,000					(49,132)	(18,473)	(67,605)		(49,132)	(18,473)	(67,605)	
374	6502600	1			252,951	252,951						2,800,000	2,800,000		2,800,000	
375	6502700				94,500	94,500										
376	6502800				75,000	75,000			75,000	75,000				75,000	75,000	
377	6505000	2			128,860	128,860								128,860	128,860	
378	7008500				38,240	38,240			38,240	38,240						
379	8103000				1,787,671	1,787,671								1,787,671	1,787,671	
380	8103100				(369,465)	(369,465)								(369,465)	(369,465)	
381	8103200				369,465	369,465								369,465	369,465	
382	8104000				1,570,250	1,570,250			1,570,250	1,570,250				1,570,250	1,570,250	
383	8105000				745,016	745,016								745,016	745,016	
384	8109900	53														
385	8501000		(69,969)		69,969											
386	8502000				260,000	260,000										
387	990E000															
388	080950				2,000,000	2,000,000			1,000,000	1,000,000				2,000,000	2,000,000	
389	085020				3,570,000	3,570,000			1,785,000	1,785,000				1,785,000	1,785,000	
390	140004				700,000	700,000			700,000	700,000		1,100,000		700,000	1,800,000	
391	990G000															
392	140270				6,600,000	6,600,000			6,600,000	6,600,000				6,600,000	6,600,000	
393	990L000															
394	084108				4,500,000	4,500,000			4,500,000	4,500,000						
395	084200				10,000,000	10,000,000			10,000,000	10,000,000				10,000,000	10,000,000	
396	990M000															
397	080102		190,000	190,000	402,850	592,850										
398	990S000															
399	080015		1,994,850	1,994,850		1,994,850										
400	082800				1,812,772	1,812,772			1,812,772	1,812,772				1,812,772	1,812,772	
401	088376				51,717	51,717								51,717	51,717	
402	FISH/WILDLIFE CONSERV COMM Total	1,949	56,648,985	2,984,850	238,220,520	295,069,505	1,984	46,573,274		225,352,730	271,926,004	1,824	47,701,360	2,800,000	230,727,599	278,428,959
403	Grand Total	9,496	260,069,088	67,500,000	2,651,122,262	2,911,190,350	9,291	207,160,518		2,040,000	1,905,635,039		2,112,755,557			