

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Natural Resources & Public
2 Lands Subcommittee

3 Representative Willhite offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (6) 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 (6) There is created as a part of the Department of
12 Environmental Protection an Environmental Regulation Commission.

13 (a) The commission shall be composed of seven residents of
14 this state appointed by the Governor, subject to confirmation by
15 the Senate. In making appointments, the Governor shall provide
16 reasonable representation from all sections of the state.

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17 Membership shall be representative of agriculture, the
18 development industry, local government, the environmental
19 community, lay citizens, and members of the scientific and
20 technical community who have substantial expertise in the areas
21 of the fate and transport of water pollutants, toxicology,
22 epidemiology, geology, biology, environmental sciences, or
23 engineering.

24 (b) The Governor shall, within 90 days after the
25 occurrence of a vacancy on the commission, appoint a new member,
26 subject to confirmation by the Senate.

27 (c) The Governor shall appoint the chair, and the vice
28 chair shall be elected from among the membership. All
29 appointments shall be for 4-year terms.

30 ~~(d) The Governor may at any time fill a vacancy for the~~
31 ~~unexpired term.~~ The members of the commission shall serve
32 without compensation, but shall be paid travel and per diem as
33 provided in s. 112.061 while in the performance of their
34 official duties. Administrative, personnel, and other support
35 services necessary for the commission shall be furnished by the
36 department. The commission may employ independent counsel and
37 contract for the services of outside technical consultants.

38 Section 2. Subsection (4) is added to section 403.805,
39 Florida Statutes, to read:

40 403.805 Secretary; powers and duties; review of specified
41 rules.-

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42 (4) Any proposed rule containing standards to be submitted
43 to the commission for approval, modification, or disapproval
44 pursuant to subsection (1) shall require a simple majority for
45 approval or modification, unless the rule pertains to any of the
46 following, in which case, approval or modification must be by a
47 supermajority of 5 votes:

48 (a) Air quality standards.

49 (b) Water quality and quantity standards.

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51 Proposed rules that fail to receive the votes required for
52 approval or modification pursuant to this subsection are deemed
53 disapproved.

54 Section 3. This act shall take effect July 1, 2017.

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

58 Remove everything before the enacting clause and insert:
59 An act relating to the Environmental Regulation Commission;
60 amending s. 20.255, F.S.; requiring the Governor to make
61 appointments to the commission within a certain time frame;
62 amending s. 403.805, F.S.; requiring certain proposed rules
63 submitted to the commission to receive a certain vote total for
64 approval or modification; providing an effective date.