



838464

LEGISLATIVE ACTION

Senate

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House

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The Committee on Environment and Natural Resources (Brodeur) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 39 - 52

and insert:

(3) This section serves no other purpose and may not be codified in the Florida Statutes. At the time of filing this rule for adoption, or as soon thereafter as practicable, the department shall publish a notice of the enactment of this exemption in the Florida Administrative Register. This section does not alter rulemaking authority delegated by prior law and



11 does not constitute legislative preemption of or exception to  
12 any other provision of law governing adoption or enforcement of  
13 the rule cited. This section does not cure any rulemaking defect  
14 or preempt any challenge based on a lack of authority or a  
15 violation of the legal requirements governing the adoption of  
16 any rule cited.

17 (4) The Legislature determines and declares that this  
18 section fulfills an important state interest.

19 Section 2. Subsection (7) is added to section 403.0855,  
20 Florida Statutes, to read:

21 403.0855 Biosolids management.—

22 (7) The department shall provide notice to and receive  
23 consent from a private property owner before entering onto his  
24 or her property to install monitoring equipment or conduct  
25 sampling for biosolids sites.

26  
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Delete lines 2 - 12

30 and insert:

31 An act relating to biosolids; ratifying specified rules  
32 relating to biosolids management for the sole and exclusive  
33 purpose of satisfying any condition on effectiveness pursuant to  
34 s. 120.541(3), F.S., which requires ratification of any rule  
35 exceeding any specified thresholds for likely adverse impact or  
36 increase in regulatory costs; exempting the rules from certain  
37 review and approval by the Environmental Regulation Commission;  
38 providing applicability; providing construction; providing a  
39 declaration of important state interest; amending s. 403.0855,



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40 F.S.; requiring the Department of Environmental Protection to  
41 provide notice to and receive consent from private property  
42 owners before entering onto private property for specified  
43 biosolids testing;