



875020

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 for biosolids  
25 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  
32 rules relating to biosolids management for the sole  
33 and exclusive purpose of satisfying any condition on  
34 effectiveness pursuant to s. 120.541(3), F.S., which  
35 requires ratification of any rule exceeding any  
36 specified thresholds for likely adverse impact or  
37 increase in regulatory costs; exempting the rules from  
38 certain review and approval by the Environmental  
39 Regulation Commission; providing applicability;



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40 providing construction; providing a declaration of  
41 important state interest; amending s. 403.0855, F.S.;  
42 requiring the Department of Environmental Protection  
43 to provide notice to and receive consent from private  
44 property owners before entering onto private property  
45 for specified biosolids testing;