

By Representative Bullard

1 A bill to be entitled
2 An act relating to asbestos removal programs;
3 amending s. 376.60, F.S.; providing for the
4 Department of Environmental Protection to
5 reimburse local governments that have been
6 approved to conduct asbestos removal programs
7 under certain circumstances; removing fees for
8 inspection of residential dwellings; exempting
9 specified persons from the fees; prohibiting
10 local governments from charging certain fees
11 while being reimbursed by the department;
12 providing an appropriation; providing an
13 effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Section 376.60, Florida Statutes, is
18 amended to read:

19 376.60 Asbestos removal program inspection and
20 notification fee.--The Department of Environmental Protection
21 shall charge an inspection and notification fee, not to exceed
22 ~~\$50 for a residential dwelling, \$300 for a small business as~~
23 defined in s. 288.703(1), or \$1,000 for any other project, for
24 any asbestos removal project. Schools, colleges, universities,
25 residential dwellings, and those persons otherwise exempted
26 from licensure under s. 469.004(7)~~Public school districts,~~
27 ~~the state universities, and private schools~~ are exempt from
28 the such fees. Any fee collected must ~~shall~~ be deposited in
29 the asbestos program account in the Air Pollution Control
30 Trust Fund to be used by the department to administer its
31 asbestos removal program. ~~The department may contract with a~~

1 ~~local government to conduct asbestos removal programs within~~
2 ~~the jurisdiction of that local government.~~

3 (1) In those counties with approved local air
4 pollution control programs, the department shall return 80
5 percent of the asbestos removal program inspection and
6 notification fees collected in that county to the local
7 government quarterly, if the county requests it.

8 (2) The fees returned to a county under subsection (1)
9 must be used only for asbestos-related program activities.

10 (3) A county may not levy any additional fees for
11 asbestos removal activity while it receives fees under
12 subsection (1).

13 (4) If a county has requested reimbursement under
14 subsection (1), the department shall reimburse the approved
15 local air pollution control program with 80 percent of the
16 fees collected in the county retroactive to July 1, 1994, for
17 asbestos-related program activities.

18 (5) If an approved local air pollution control program
19 that is providing asbestos notification and inspection
20 services according to 40 C.F.R. Part 61 Subpart M, and is
21 collecting fees sufficient to support the requirements of 40
22 C.F.R. Part 61 Subpart M, opts not to receive the
23 state-generated asbestos notification fees, the state may
24 discontinue collection of the state asbestos notification fees
25 in that county.

26 Section 2. The sum of \$700,000 is appropriated from
27 the Air Pollution Control Trust Fund for the purpose of
28 reimbursing local governments as prescribed in section
29 376.60(1) and (4), Florida Statutes.

30 Section 3. This act shall take effect July 1, 1997.

31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

SENATE SUMMARY

Provides for the Department of Environmental Protection to reimburse local governments that have been approved to conduct asbestos removal programs, under certain circumstances. Removes certain fees for residential inspections. Restricts the use of such reimbursed funds. Prohibits local governments that are receiving reimbursement from charging certain fees. Provides a \$700,000 appropriation to provide reimbursement funds.