

By the Committee on Natural Resources and Senators Peaden, Bronson, Clary, Mitchell, Latvala, Pruitt and Smith

312-1930-01

1 A bill to be entitled
2 An act relating to the Department of
3 Environmental Protection; creating s. 120.551,
4 F.S.; directing the Department of Environmental
5 Protection and the State Technology Office to
6 establish a pilot project to test the
7 cost-effectiveness of publication of notices on
8 the Internet in lieu of publication in the
9 Florida Administrative Weekly; directing the
10 Department of State to publish notice of the
11 pilot project; requiring that the Department of
12 Environmental Protection, the State Technology
13 Office, and the Department of State submit a
14 joint report on the cost-effectiveness of
15 publication of such notices on the Internet;
16 providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 120.551, Florida Statutes, is
21 created to read:

22 120.551 Internet publication pilot project.--
23 (1) On or before December 31, 2001, the Department of
24 Environmental Protection and the State Technology Office shall
25 establish and commence a pilot project to determine the
26 cost-effectiveness of publication of notices on the Internet
27 in lieu of complete publication in the Florida Administrative
28 Weekly. The pilot project shall end on July 1, 2003. Under
29 this pilot project, notwithstanding any other provision of
30 law, whenever the Department of Environmental Protection is
31 required to publish notices in the Florida Administrative

1 Weekly, the Department of Environmental Protection instead may
2 publish a summary of such notice in the Florida Administrative
3 Weekly along with the specific URL or Internet address where
4 the complete notice required by law shall be published. The
5 Department of Environmental Protection shall publish all other
6 notices in the manner prescribed by law. Notices published on
7 the Internet under this section shall clearly state the date
8 the notice was first posted on the Internet, shall be
9 initially posted only on the same days the Florida
10 Administrative Weekly is published, and shall comply with the
11 form and content provisions of the Florida Administrative
12 Code. Notices related to rulemaking published on the Internet
13 under this provision shall be maintained on the Internet for a
14 period of at least 12 months after the effective date of the
15 rule or at least 3 months after the publication of a notice of
16 withdrawal of the proposed rule. All other notices published
17 on the Internet under this provision shall be maintained on
18 the Internet for a period of at least 3 months after the date
19 first posted. A searchable database or other electronic
20 system to be permanently maintained on the Internet for the
21 purpose of archiving all notices published on the Internet and
22 allowing citizens permanent electronic access to such archived
23 records shall also be established by the pilot project. No
24 notice posted on the Internet shall be removed until the
25 searchable database is implemented.

26 (2) The Department of State shall publish notice of
27 this pilot project in each weekly publication of the Florida
28 Administrative Weekly. The notice shall state: "Under a
29 temporary pilot project, in conjunction with the State
30 Technology Office, to determine the cost-effectiveness of
31 Internet publication of notices in lieu of complete

1 publication in the Florida Administrative Weekly, summaries of
2 notices of the Department of Environmental Protection are
3 being published in the Florida Administrative Weekly, along
4 with a reference to the specific Internet URL or address where
5 the complete notice required by law shall be published."

6 (3) No later than January 31, 2003, the Department of
7 Environmental Protection, the State Technology Office, and the
8 Department of State shall submit a report to the Governor, the
9 President of the Senate, and the Speaker of the House of
10 Representatives containing findings on the cost-effectiveness
11 of publication of notices on the Internet in lieu of complete
12 publication in the Florida Administrative Weekly and
13 recommendations, including legislative or rule changes, for
14 modifications to the process necessary to effectuate
15 publication of notices on the Internet.

16 Section 2. This act shall take effect July 1, 2001.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 1560

4 The committee substitute includes the following major changes:

5 -- The State Technology Office will participate in the
6 pilot project.

7 -- The Department of Environmental Protection (DEP) must
8 publish a summary of the notice published on the
9 Internet in the FAW, along with the specific URL or
10 Internet address where the complete notice required by
11 law shall be published.

12 -- The Department of State, rather than the DEP will
13 publish the notice of the pilot project in the FAW. The
14 notice itself is amended to conform to the requirement
15 that summaries of the DEP's notice and reference to the
16 Internet URL or address for the notices will be
17 published in the FAW.

18 -- The committee substitute does not specify the DEP's
19 website.

20 -- The committee substitute requires a searchable database
21 or other electronic system to be permanently maintained
22 on the Internet for the purpose of archiving all notices
23 published on the Internet and allowing citizens
24 permanent electronic access to such archived records. No
25 notice posted on the Internet may be removed until the
26 searchable database is implemented.

27 -- The Department of State and State Technology Office will
28 participate in the January 31, 2003 report, which will
29 include recommendations.

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