

CHAMBER ACTION

1 The Health Care Appropriations Committee recommends the
2 following:

3
4 **Council/Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to the Wekiva Onsite Sewage Treatment and
8 Disposal System Compliance Grant Program; creating the
9 program in the Department of Health; providing purposes;
10 authorizing certain property owners in certain areas of
11 the Wekiva basin to apply for grants for certain purposes;
12 providing grant limitations; providing for annual
13 adjustments of the amount of the grants; providing for the
14 grant as a rebate of costs incurred; requiring
15 documentation of costs; requiring the Department of Health
16 to adopt rules to administer the grant program; specifying
17 implementation as contingent upon appropriation; requiring
18 the Department of Environmental Protection to conduct a
19 study of sources of nitrogen input into the Wekiva River
20 and associated springs; requiring the Department of Health
21 to contract for an independent study of sources of
22 nitrogen input from onsite sewage treatment and disposal
23 systems into the Wekiva River and associated springs;

Page 1 of 5

24 requiring reports; providing report requirements;
 25 suspending certain department rulemaking until study
 26 completion; requiring the Department of Environmental
 27 Protection and Department of Health to submit copies of
 28 the reports to the Legislature; requiring the Department
 29 of Health to develop proposed rules for a model proposal
 30 applying to operation and maintenance of onsite sewage
 31 treatment and disposal systems in certain areas;
 32 specifying a rule criterion; providing appropriations;
 33 providing an effective date.

34
 35 Be It Enacted by the Legislature of the State of Florida:

36
 37 Section 1. Wekiva Onsite Sewage Treatment and Disposal
 38 System Compliance Grant Program.--

39 (1) The Wekiva Onsite Sewage Treatment and Disposal System
 40 Compliance Grant Program is created within the Department of
 41 Health, to be administered by the Department of Health. The
 42 purpose of the program is to provide grants to low-income
 43 property owners in the Wekiva Study Area or the Wekiva River
 44 Protection Area using onsite sewage treatment and disposal
 45 systems to assist the property owner in complying with rules for
 46 onsite sewage treatment and disposal systems developed by the
 47 Department of Health, the Department of Environmental
 48 Protection, or the St. Johns River Water Management District to
 49 enforce compliance with onsite sewage treatment and disposal
 50 system standards.

HB 1557 CS

2006
CS

51 (2) Any property owner in the Wekiva Study Area or the
52 Wekiva River Protection Area having an income less than or equal
53 to 200 percent of the federal poverty guideline who is required
54 by rule of the Department of Health, the Department of
55 Environmental Protection, or the St. Johns River Water
56 Management District to construct, reconstruct, alter, repair, or
57 modify any new or existing onsite sewage treatment and disposal
58 system on such property may apply to the Department of Health
59 for a grant to assist the owner with the cost of compliance.

60 (3) The amount of the grant is limited to \$10,000 per
61 property and shall be increased each calendar year by the change
62 in the annual average of the "materials and components for
63 construction" series of the producer price index, as calculated
64 and published by the United States Department of Labor, Bureau
65 of Statistics, from the previous calendar year.

66 (4) The grant shall be in the form of a rebate to the
67 property owner for costs incurred in complying with requirements
68 for onsite sewage treatment and disposal systems. The property
69 owner shall provide to the Department of Health in the
70 application for a grant documentation of costs incurred in
71 complying with requirements for such systems.

72 (5) The Department of Health shall adopt rules pursuant to
73 ss. 120.536(1) and 120.54 providing forms, procedures, and
74 requirements for applying for and disbursing grants under this
75 section and for documenting compliance costs incurred.

76 (6) Implementation of this section is contingent upon an
77 appropriation in the General Appropriations Act.

HB 1557 CS

2006
CS

78 Section 2. (1)(a) The Department of Environmental
79 Protection shall conduct a study to determine the various
80 sources of nitrogen input into the Wekiva River and associated
81 springs contributing water to the river. The Department of
82 Environmental Protection shall prepare a report recommending
83 actions to be taken by the Department of Environmental
84 Protection and the St. Johns Water Management District that will
85 provide the best use of economic resources to reduce nitrogen
86 inputs into the river and associated springs.

87 (b) The Department of Health shall contract for a study by
88 an independent entity of sources of input of nitrogen from
89 onsite sewage treatment and disposal systems into the Wekiva
90 River and associated springs. The study shall measure the
91 concentration of nitrates in the soil 10 feet and 20 feet below
92 the drainage field of the onsite sewage treatment and disposal
93 systems. The contract shall require the entity to submit a
94 report to the Department of Health describing the locations of
95 such sources and amounts contributed by such sources and
96 containing recommendations to reduce or eliminate nitrogen
97 inputs from such sources. Rulemaking required by s. 369.318(2),
98 Florida Statutes, shall be suspended until the completion of
99 this study.

100 (c) The Department of Environmental Protection and the
101 Department of Health shall submit copies of the reports to the
102 President of the Senate and the Speaker of the House of
103 Representatives before the 2007 Regular Session of the
104 Legislature.

HB 1557 CS

2006
CS

105 (2) The Department of Health shall develop proposed rules
106 for a model proposal applying to operation and maintenance of
107 onsite sewage treatment and disposal systems within the Wekiva
108 Study Area or the Wekiva River Protection Area. At a minimum,
109 the rules shall require each property owner in the Wekiva Study
110 Area or the Wekiva River Protection Area having an onsite sewage
111 treatment and disposal system to pump out the system at least
112 once every 5 years.

113 Section 3. (1) The sum of \$250,000 is appropriated from
114 the General Revenue Fund to the Department of Environmental
115 Protection for the 2006-2007 fiscal year to be used by the
116 Department of Environmental Protection to conduct the study
117 required under paragraph (1)(a) of section 2.

118 (2) The sum of \$250,000 is appropriated from the General
119 Revenue Fund to the Department of Health for the 2006-2007
120 fiscal year to be used for purposes of the independent study the
121 Department of Health is required to contract for under paragraph
122 (1)(b) of section 2.

123 Section 4. This act shall take effect July 1, 2006.