



953516

LEGISLATIVE ACTION

Senate

House

.
. .
. .
. .
. .
. .

Floor: 7/AD/2R

04/28/2009 10:49 AM

Senator Fasano moved the following:

Senate Amendment (with directory and title amendments)

Between lines 257 and 258
insert:

(18) A function related to air quality inside an enclosed ice rink to protect the health and safety of visitors and employees of an enclosed ice skating rink from dangers associated with oxides of nitrogen (NO_x), hydrocarbons (C_xH_x), carbon monoxide (CO), carbon dioxide (CO₂) and other harmful gasses, vapors, or particles as identified by the department that change the air quality due to the operation of the ice rink. The department may adopt rules including definitions; air



953516

13 quality standards, monitoring, testing, and record keeping;
14 maintenance and operation requirements for equipment that
15 affects air quality; ventilation of the facility; operators'
16 required response activities to the exceedance of an air quality
17 standard; and assessment of fees. The department may enter and
18 inspect an enclosed ice skating rink at reasonable hours to
19 determine compliance with applicable statutes or rules. The
20 department may assess a fee no greater than \$300 to cover the
21 actual costs of the annual inspection and review of the air
22 quality of enclosed ice skating rinks. The air quality standards
23 adopted by the department must be consistent with risk values or
24 exposure guidelines recommended by the United States
25 Environmental Protection Agency or the United States Centers for
26 Disease Control and Prevention.

27 Section 4. Subsection (1) of section 381.0061, Florida
28 Statutes, is amended to read:

29 381.0061 Administrative fines.—

30 (1) In addition to any administrative action authorized by
31 chapter 120 or by other law, the department may impose a fine,
32 which shall not exceed \$500 for each violation, for a violation
33 of s. 381.006(16), s. 381.006(18), s. 381.0065, s. 381.0066, s.
34 381.0072, or part III of chapter 489, for a violation of any
35 rule adopted under this chapter, or for a violation of any of
36 the provisions of chapter 386. Notice of intent to impose such
37 fine shall be given by the department to the alleged violator.
38 Each day that a violation continues may constitute a separate
39 violation.

40
41 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====



953516

42 And the directory clause is amended as follows:

43 Delete lines 209 - 210

44 and insert:

45 Section 3. Subsection (16) of section 381.006, Florida
46 Statutes, is amended, and subsection (18) is added to that
47 section, to read:

48

49 ===== T I T L E A M E N D M E N T =====

50 And the title is amended as follows:

51 Delete line 15

52 and insert:

53 with five or fewer residents; requiring the Department
54 of Health to include in its environmental health
55 program the testing of the air in enclosed ice rinks;
56 authorizing the department to adopt rules relating to
57 air quality standards, monitoring, testing, record
58 keeping, the maintenance and operation of equipment
59 that affects air quality, and assessment of fees;
60 authorizing the department to enter and inspect an
61 enclosed ice skating rink at reasonable hours to
62 determine compliance with applicable air quality
63 statutes or rules; authorizing the department to
64 assess a fee for a specified purpose; requiring the
65 air quality standards be consistent with federal risk
66 values or exposure guidelines; amending s. 381.0061,
67 F.S.; providing that the department may impose a fine,
68 which may not exceed a specified amount for a
69 violation of the ice rink air quality standards;
70 amending s. 381.0072,