



288378

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/22/2017	.	
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The Committee on Environmental Preservation and Conservation
(Stewart) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (6) of section 20.255, Florida
Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is
created a Department of Environmental Protection.

(6) There is created as a part of the Department of
Environmental Protection an Environmental Regulation Commission.



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11 (a) The commission shall be composed of seven residents of
12 this state appointed by the Governor, subject to confirmation by
13 the Senate. In making appointments, the Governor shall provide
14 reasonable representation from all sections of the state.
15 Membership shall be representative of agriculture, the
16 development industry, local government, the environmental
17 community, lay citizens, and members of the scientific and
18 technical community who have substantial expertise in the areas
19 of the fate and transport of water pollutants, toxicology,
20 epidemiology, geology, biology, environmental sciences, or
21 engineering.

22 (b) The Governor shall, within 90 days after the occurrence
23 of a vacancy on the commission, appoint a new member, subject to
24 confirmation by the Senate.

25 (c) The Governor shall appoint the chair, and the vice
26 chair shall be elected from among the membership. All
27 appointments shall be for 4-year terms.

28 (d) ~~The Governor may at any time fill a vacancy for the~~
29 ~~unexpired term.~~ The members of the commission shall serve
30 without compensation, but shall be paid travel and per diem as
31 provided in s. 112.061 while in the performance of their
32 official duties. Administrative, personnel, and other support
33 services necessary for the commission shall be furnished by the
34 department. The commission may employ independent counsel and
35 contract for the services of outside technical consultants.

36 Section 2. Subsection (4) is added to section 403.805,
37 Florida Statutes, to read:

38 403.805 Secretary; powers and duties; review of specified
39 rules.-



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40 (4) Any proposed rule containing standards to be submitted
41 to the commission for approval, modification, or disapproval
42 pursuant to subsection (1) requires a simple majority for
43 approval or modification, unless the rule pertains to any of the
44 following, in which case approval or modification must be by a
45 super majority of five votes:

46 (a) Air quality standards.

47 (b) Water quality and quantity standards.

48
49 Proposed rules that fail to receive the votes required for
50 approval or modification pursuant to this subsection are deemed
51 disapproved.

52 Section 3. This act shall take effect July 1, 2017.

53
54 ===== T I T L E A M E N D M E N T =====

55 And the title is amended as follows:

56 Delete everything before the enacting clause
57 and insert:

58 A bill to be entitled
59 An act relating to the Environmental Regulation
60 Commission; amending s. 20.255, F.S.; requiring the
61 Governor to appoint a new member to the commission
62 within a certain timeframe after the occurrence of a
63 vacancy; amending s. 403.805, F.S.; requiring certain
64 proposed rules submitted to the commission to receive
65 specified vote totals for approval or modification;
66 providing an effective date.