

1                   A reviser's bill to be entitled  
 2           An act relating to the Florida Statutes; amending ss.  
 3           252.90, 252.939, 253.126, 260.0144, 287.0572, 295.187,  
 4           310.102, 310.142, 310.183, 316.29545, and 316.304,  
 5           F.S.; and repealing s. 316.611, F.S.; to conform to  
 6           the directive of the Legislature in section 9 of  
 7           chapter 2012-116, Laws of Florida, codified as section  
 8           11.242(5)(j), Florida Statutes, to prepare a reviser's  
 9           bill to omit all statutes and laws, or parts thereof,  
 10          which grant duplicative, redundant, or unused  
 11          rulemaking authority; providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:  
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15           Section 1. Subsection (1) of section 252.90, Florida  
 16 Statutes, is amended to read:

17           252.90 Commission and committee duties.—

18           ~~(1) The commission shall establish by December 31, 1989,~~  
 19 ~~uniform reporting forms for all reporting requirements under~~  
 20 ~~this part for use by all committees.~~

21           Section 2. Paragraph (c) of subsection (1) and subsection  
 22 (2) of section 252.939, Florida Statutes, are amended to read:

23           252.939 Fees.—

24           (1)

25           (c) The division shall establish a fee schedule ~~by rule~~

26 | for the specified stationary sources, upon the advice and  
27 | consent of the commission. The annual registration fee must be  
28 | based on a stationary source's highest program level, as  
29 | determined under the federal implementing regulations for s.  
30 | 112(r)(7) and may not exceed the following:

31 |       1. Program 1 Stationary Sources \$100. Multiple Program 1  
32 | stationary sources which are under common ownership and which  
33 | have the same single chemical process, shall pay a full fee for  
34 | the first stationary source location and a 50 percent fee for  
35 | subsequent locations with no owner of such multiple stationary  
36 | sources paying more than \$1,000. To be eligible for this  
37 | multiple stationary source fee provision, one single fee payment  
38 | must be submitted by the owner of the eligible multiple  
39 | stationary source locations with a listing of the multiple  
40 | stationary source locations and the single chemical process.

41 |       2. Program 2 Stationary Sources \$200. Multiple Program 2  
42 | stationary sources which are under common ownership and which  
43 | have the same single chemical process, shall pay a full fee for  
44 | the first three stationary source locations and a 50 percent fee  
45 | for subsequent locations with no owner of such multiple  
46 | stationary sources paying more than \$2,000. Multiple Program 2  
47 | stationary sources which are under common ownership and which  
48 | are classified under one of the following Standard Industrial  
49 | Classification group numbers 01, 02, or 07 shall pay a full fee,  
50 | not to exceed \$100 for the first stationary source location and

51 a 50 percent fee for subsequent locations with no owner of such  
52 multiple stationary sources paying more than \$800. To be  
53 eligible for these multiple stationary source fee provisions,  
54 one single fee payment must be submitted by the owner of the  
55 eligible multiple stationary source locations with a listing of  
56 the multiple stationary source locations and the chemical  
57 process.

58 3. Program 3 Stationary Sources \$1,000.

59 (2) The division shall establish ~~by rule~~ late fees, not to  
60 exceed 10 percent per month of the annual registration fee owed,  
61 and not to exceed a total of 50 percent, for failure to timely  
62 submit an annual registration fee. A late fee may not be  
63 assessed against a stationary source during the initial  
64 registration and submission year if 90 days' prior written  
65 notice was not provided to that stationary source.

66 Section 3. Subsection (1) of section 253.126, Florida  
67 Statutes, is amended to read:

68 253.126 Legislative intent.—The limitations and  
69 restrictions imposed by this chapter as amended by chapter 67-  
70 393, Laws of Florida, upon the construction of islands or the  
71 extension or addition to existing lands or islands bordering on  
72 or being in the navigable waters, as defined in s. 253.12, shall  
73 apply to the state, its agencies and all political subdivisions  
74 and governmental units. No other general or special act shall  
75 operate to grant exceptions to this section unless this section

76 is specifically repealed thereby.

77 ~~(1) Notwithstanding any other provision of this chapter,~~  
78 ~~the Department of Environmental Protection may authorize, by~~  
79 ~~rule, the Department of Transportation to perform any activity~~  
80 ~~covered by this chapter, upon certification by the agency that~~  
81 ~~it will meet all requirements imposed by statute, rule, or~~  
82 ~~standard for environmental control and protection as such~~  
83 ~~statute, rule, or standard applies to a governmental program. To~~  
84 ~~this end, the department may accept such certification of~~  
85 ~~compliance for programs of the agency, conduct investigations~~  
86 ~~for compliance, and, if a violation is found to exist, take all~~  
87 ~~necessary enforcement action pertaining thereto, including, but~~  
88 ~~not limited to, the revocation of certification. The~~  
89 ~~authorization shall be by rule of the department, shall be~~  
90 ~~limited to the maintenance, repair, or replacement of existing~~  
91 ~~structures, and shall be conditioned upon compliance by the~~  
92 ~~agency with specific guidelines or requirements which are set~~  
93 ~~forth in the formal acceptance and deemed necessary by the~~  
94 ~~department to assure future compliance with this chapter and~~  
95 ~~applicable department rules. Failure of the agency to comply~~  
96 ~~with any provision of the written acceptance shall constitute~~  
97 ~~grounds for its revocation by the department.~~

98 Section 4. Subsection (7) of section 260.0144, Florida  
99 Statutes, is amended to read:

100 260.0144 Sponsorship of state greenways and trails.—The

101 department may enter into a concession agreement with a not-for-  
 102 profit entity or private sector business or entity for  
 103 commercial sponsorship to be displayed on state greenway and  
 104 trail facilities or property specified in this section. The  
 105 department may establish the cost for entering into a concession  
 106 agreement.

107 ~~(7) The department may adopt rules to administer this~~  
 108 ~~section.~~

109 Section 5. Subsection (2) of section 287.0572, Florida  
 110 Statutes, is amended to read:

111 287.0572 Present-value methodology.—

112 ~~(2) The department may adopt rules to administer~~  
 113 ~~subsection (1).~~

114 Section 6. Subsection (9) of section 295.187, Florida  
 115 Statutes, is amended to read:

116 295.187 Florida Veteran Business Enterprise Opportunity  
 117 Act.—

118 ~~(9) RULES. The Department of Veterans' Affairs and the~~  
 119 ~~Department of Management Services, as appropriate, may adopt~~  
 120 ~~rules as necessary to administer this section.~~

121 Section 7. Subsection (1) of section 310.102, Florida  
 122 Statutes, is amended to read:

123 310.102 Treatment programs for impaired pilots and deputy  
 124 pilots.—

125 (1) The department shall, ~~by rule,~~ designate approved

126 treatment programs for impaired pilots and deputy pilots under  
 127 this section. The department may set ~~adopt rules setting forth~~  
 128 appropriate criteria for approval of treatment providers.

129 Section 8. Section 310.142, Florida Statutes, is amended  
 130 to read:

131 310.142 Pilotage at St. Marys Entrance.—The board is  
 132 authorized to enter into an agreement with the Board of Pilotage  
 133 Commissioners for the corporate authority of St. Marys, Georgia,  
 134 for reciprocal pilotage of vessels in the boundary waters and  
 135 tributaries of St. Marys Entrance. ~~The board shall have the~~  
 136 ~~authority to promulgate rules to implement the provisions of~~  
 137 ~~this section.~~

138 Section 9. Subsection (2) of section 310.183, Florida  
 139 Statutes, is amended to read:

140 310.183 Immediate inactivation of license or certificate  
 141 for certain violations; rules.—

142 ~~(2) No later than January 1, 1995, the board shall adopt~~  
 143 ~~rules to administer the provisions of this section and shall~~  
 144 ~~have continuing authority to amend any such rules it has adopted~~  
 145 ~~by that deadline. However, if the board fails to adopt such~~  
 146 ~~rules by that deadline, the department shall have exclusive~~  
 147 ~~authority to adopt such rules.~~

148 Section 10. Subsection (5) of section 316.29545, Florida  
 149 Statutes, is amended to read:

150 316.29545 Window suncreening exclusions; medical

151 exemption; certain law enforcement vehicles and private  
152 investigative service vehicles exempt.—

153 ~~(5) The department is authorized to promulgate rules for~~  
154 ~~the implementation of this section.~~

155 Section 11. Subsection (3) of section 316.304, Florida  
156 Statutes, is amended to read:

157 316.304 Wearing of headsets.—

158 ~~(3) The Department of Highway Safety and Motor Vehicles~~  
159 ~~shall promulgate, by administrative rule, standards and~~  
160 ~~specifications for headset equipment the use of which is~~  
161 ~~permitted under this section.~~ The department shall inspect and  
162 review all headset equipment ~~such devices~~ submitted to it and  
163 shall publish a list by name and type of approved equipment.

164 Section 12. Section 316.611, Florida Statutes, is  
165 repealed:

166 ~~316.611 Tandem trailer equipment and use. The Department~~  
167 ~~of Transportation shall adopt rules to regulate tandem trailer~~  
168 ~~truck equipment and use in the interest of safety, public~~  
169 ~~convenience, and preservation of public road facilities. The~~  
170 ~~rules shall apply according to their terms to all jurisdictions~~  
171 ~~of the state except the Florida Turnpike. Such rules shall be~~  
172 ~~enforced by the Department of Transportation, the Department of~~  
173 ~~Highway Safety and Motor Vehicles, and local authorities.~~

174 Reviser's note.—This act amends or repeals provisions of the  
175 Florida Statutes pursuant to the directive of the

176 Legislature in s. 9, ch. 2012-116, Laws of Florida,  
177 codified as s. 11.242(5)(j), Florida Statutes, to prepare a  
178 reviser's bill to omit all statutes and laws, or parts  
179 thereof, which grant duplicative, redundant, or unused  
180 rulemaking authority.

181 Section 13. This act shall take effect on the 60th day  
182 after adjournment sine die of the session of the Legislature in  
183 which enacted.