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1	A bill to be entitled
2	An act relating to ratification of rules of the
3	Department of Environmental Protection; exempting a
4	specified rule relating to minimum flows and levels
5	and recovery and prevention strategies for certain
6	water bodies from ratification under s. 120.541(3),
7	F.S., which requires ratification of any rule meeting
8	any specified thresholds for likely adverse impact or
9	increase in regulatory costs; providing applicability;
10	providing an effective date.
11	
12	WHEREAS, on March 7, 2014, the Department of Environmental
13	Protection proposed rules 62-42.100 and 62-42.200, Florida
14	Administrative Code, establishing the scope and definitions for
15	minimum flows and levels adopted by the department, and rule 62-
16	42.300, Florida Administrative Code, establishing minimum flows
17	and levels for the Lower Santa Fe and Ichetucknee Rivers and
18	associated priority springs, and
19	WHEREAS, such rules will implement the public policy
20	established in s. 1, chapter 2013-229, Laws of Florida, and
21	related laws authorizing the department to establish minimum
22	flows and levels for water bodies that affect multiple water
23	management districts, and
24	WHEREAS, after adoption by the department, rule 62-42.300,
25	Florida Administrative Code, requires legislative ratification
26	pursuant to s. 120.541(3), Florida Statutes, and
, ,	Page 1 of 3

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27 WHEREAS, procedures available under the Administrative 28 Procedure Act may delay adoption of the rule by the department, making the rule unavailable for ratification during the 2014 29 30 Regular Session, and WHEREAS, it is important for these rules to take effect as 31 32 soon as possible so that associated flow protection rules can be 33 implemented as soon as possible, and 34 WHEREAS, exempting the proposed rule 62-42.300, Florida 35 Administrative Code, from legislative ratification will allow the rules, if otherwise valid, to become effective before the 36 37 next opportunity for legislative ratification, NOW, THEREFORE, 38 39 Be It Enacted by the Legislature of the State of Florida: 40 41 Section 1. (1) The rule proposed by the Department of 42 Environmental Protection as rule 62-42.300, Florida 43 Administrative Code, entitled "Minimum Flows and Levels and 44 Recovery and Prevention Strategies," which was published on 45 March 7, 2014, in the Florida Administrative Register, Vol. 40, 46 No. 46, pages 1069-1071, is exempt from ratification under s. 47 120.541(3), Florida Statutes. 48 (2) This act serves no other purpose and shall not be 49 codified in the Florida Statutes. At the time of filing this 50 rule for adoption, or as soon thereafter as practicable, the 51 department shall publish a notice of the enactment of this 52 exemption in the Florida Administrative Register. This act does Page 2 of 3

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53	not alter rulemaking authority delegated by prior law and does
54	not constitute legislative preemption of or exception to any
55	other provision of law governing adoption or enforcement of the
56	rule cited. This act does not cure any rulemaking defect or
57	preempt any challenge based on a lack of authority or a
58	violation of the legal requirements governing the adoption of
59	any rule cited.
60	Section 2. This act shall take effect upon becoming a law.

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