

Bill No. CS/HB 1299, 1st Eng.

Amendment No. Barcode 084574

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Lawson moved the following **amendment to amendment**
 12 (802230):

14 **Senate Amendment (with title amendment)**
 15 On page 23, line 1, through
 16 page 24, line 13, delete those lines

18 and insert:

19 Section 15. Subsection (5) of section 403.412, Florida
 20 Statutes, is amended, present subsection (6) is renumbered as
 21 subsection (8), and new subsections (6) and (7) are added to
 22 that section to read:

23 403.412 Environmental Protection Act.--

24 (5) In any administrative, licensing, or other
 25 proceedings authorized by law for the protection of the air,
 26 water, or other natural resources of the state from pollution,
 27 impairment, or destruction, the Department of Legal Affairs, a
 28 political subdivision or municipality of the state, or a
 29 citizen of the state shall have standing to intervene as a
 30 party on the filing of a verified pleading asserting that the
 31 activity, conduct, or product to be licensed or permitted has

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1 or will have the effect of impairing, polluting, or otherwise
2 injuring the air, water, or other natural resources of the
3 state. As used in this section and as it relates to citizens,
4 the term "intervene" means to join an ongoing s. 120.569 or s.
5 120.57 proceeding; this section does not authorize a citizen
6 to institute, initiate, petition for, or request a proceeding
7 under s. 120.569 or s. 120.57. Nothing herein limits or
8 prohibits a citizen whose substantial interests will be
9 determined or affected by a proposed agency action from
10 initiating a formal administrative proceeding under s. 120.569
11 or s. 120.57. A citizen's substantial interests shall be
12 considered to be determined or affected if a petitioner
13 establishes that the proposed activity, conduct, or product to
14 be licensed or permitted affects the petitioner's use or
15 enjoyment of air, water, or natural resources protected by
16 this chapter. A demonstration of special injury different in
17 kind from the general public at large is not required.

18 (6) Notwithstanding any other provisions of this
19 section, any nonprofit corporation or association that
20 demonstrates that it was formed for the purpose of the
21 protection of the environment, fish and wildlife resources,
22 protection of air and water quality, or recreation, may
23 initiate a hearing pursuant to s. 120.569 or s. 120.57.

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