

By Senator Saunders

37-02753-08

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1 A bill to be entitled

2 An act relating to the siting of power plants and  
3 transmission lines; amending s. 403.50663, F.S.; revising  
4 the requirements for notice of certain informational  
5 public meetings held by a local government or regional  
6 planning council regarding the siting of an electrical  
7 power plant; amending s. 403.5115, F.S.; revising  
8 requirements for providing notice of activities relating  
9 to the siting of an electrical power plant; requiring that  
10 a local government or regional planning council publish  
11 notice of an informational public meeting in a newspaper  
12 of general circulation; amending s. 403.5272, F.S.;  
13 revising the requirement for notice of certain  
14 informational public meetings held by a local government  
15 or regional planning council regarding the siting of an  
16 electrical transmission line; amending s. 403.5363, F.S.;  
17 revising the notice that is required when the  
18 certification hearing on the siting of an electrical  
19 transmission line is cancelled; requiring that a local  
20 government or regional planning council publish notice of  
21 an informational public meeting in a newspaper of general  
22 circulation; providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. Subsection (3) of section 403.50663, Florida  
27 Statutes, is amended to read:

28 403.50663 Informational public meetings.--

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29 (3) A local government or regional planning council that  
30 intends to conduct an informational public meeting must provide  
31 notice of the meeting to all parties not less than 15 ~~5~~ days  
32 prior to the meeting and to the general public in accordance with  
33 s. 403.5115(5).

34 Section 2. Section 403.5115, Florida Statutes, is amended  
35 to read:

36 403.5115 Public notice.--

37 (1) The following notices shall ~~are to~~ be published by the  
38 applicant for all applications:

39 (a) Notice of the filing of a notice of intent under s.  
40 403.5063, which shall be published within 21 days after the  
41 filing of the notice. The notice shall be published as specified  
42 by subsection (2), except that the newspaper notice shall be one-  
43 fourth page in size in a standard size newspaper or one-half page  
44 in size in a tabloid size newspaper.

45 (b) Notice of filing of the application, which shall  
46 include a description of the proceedings required by this act,  
47 within 21 days after the date of the application filing. Such  
48 notice shall give notice of the provisions of s. 403.511(1) and  
49 (2).

50 (c) If applicable, notice of the land use determination  
51 made pursuant to s. 403.50665(1) within 21 days after the  
52 determination is filed.

53 (d) If applicable, notice of the land use hearing, which  
54 shall be published as specified in subsection (2), no later than  
55 15 days before the hearing.

56 (e) Notice of the certification hearing and notice of the  
57 deadline for filing notice of intent to be a party, which shall

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58 | be published as specified in subsection (2), at least 65 days  
59 | before the date set for the certification hearing.

60 | (f) Notice of the cancellation of the certification  
61 | hearing, if applicable, no later than 3 days before the date of  
62 | the originally scheduled certification hearing.

63 | (g) Notice of modification when required by the department,  
64 | based on whether the requested modification of certification will  
65 | significantly increase impacts to the environment or the public.  
66 | Such notice shall be published as specified under subsection (2):

67 | 1. Within 21 days after receipt of a request for  
68 | modification. The newspaper notice shall be of a size as directed  
69 | by the department commensurate with the scope of the  
70 | modification.

71 | 2. If a hearing is to be conducted in response to the  
72 | request for modification, then notice shall be published no later  
73 | than 30 days before the hearing.

74 | ~~(h) Notice of a supplemental application, which shall be~~  
75 | ~~published as specified in paragraph (b) and subsection (2).~~

76 | ~~(i) Notice of existing site certification pursuant to s.~~  
77 | ~~403.5175. Notices shall be published as specified in paragraph~~  
78 | ~~(b) and subsection (2).~~

79 | (2) Notices provided by the applicant shall be published in  
80 | newspapers of general circulation within the county or counties  
81 | in which the proposed electrical power plant will be located. The  
82 | newspaper notices shall be at least one-half page in size in a  
83 | standard size newspaper or a full page in a tabloid size  
84 | newspaper. These notices shall include a map generally depicting  
85 | the project and all associated facilities corridors. A newspaper  
86 | of general circulation shall be the newspaper that ~~which~~ has the

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87 largest daily circulation in that county and has its principal  
88 office in that county. If the newspaper having ~~with~~ the largest  
89 daily circulation has its principal office outside the county,  
90 the notices shall appear in both the newspaper having the largest  
91 circulation in that county and in a newspaper authorized to  
92 publish legal notices in that county.

93 (3) All notices published by the applicant shall be paid  
94 for by the applicant and shall be in addition to the application  
95 fee.

96 (4) The department shall arrange for publication of the  
97 following notices in the manner specified by chapter 120 and  
98 provide copies of those notices to any persons who have requested  
99 to be placed on the departmental mailing list for this purpose  
100 for each case in which an application has been received by the  
101 department:

102 (a) Notice of the filing of the notice of intent within 15  
103 days after receipt of the notice.

104 (b) Notice of the filing of the application, no later than  
105 21 days after the application filing.

106 (c) Notice of the land use determination made pursuant to  
107 s. 403.50665(1) within 21 days after the determination is filed.

108 (d) Notice of the land use hearing before the  
109 administrative law judge, if applicable, no later than 15 days  
110 before the hearing.

111 (e) Notice of the land use hearing before the board, if  
112 applicable.

113 (f) Notice of the certification hearing at least 45 days  
114 before the date set for the certification hearing.

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115 (g) Notice of the cancellation of the certification  
116 hearing, if applicable, no later than 3 days prior to the date of  
117 the originally scheduled certification hearing.

118 (h) Notice of the hearing before the board, if applicable.

119 (i) Notice of stipulations, proposed agency action, or  
120 petitions for modification.

121 (5) A local government or regional planning council that  
122 proposes to conduct an informational public meeting pursuant to  
123 s. 403.50663 must publish notice of the meeting in a newspaper of  
124 general circulation within the county or counties in which the  
125 proposed electrical power plant will be located no later than 7  
126 days prior to the meeting. A newspaper of general circulation is  
127 the newspaper that has the largest daily circulation in that  
128 county and has its principal office in that county. If the  
129 newspaper having the largest daily circulation has its principal  
130 office outside the county, the notices shall appear in both the  
131 newspaper having the largest circulation in that county and in a  
132 newspaper authorized to publish legal notices in that county.

133 Section 3. Subsection (3) of section 403.5272, Florida  
134 Statutes, is amended to read:

135 403.5272 Informational public meetings.--

136 (3) A local government or regional planning council that  
137 intends to conduct an informational public meeting must provide  
138 notice of the meeting, with notice sent to all parties listed in  
139 s. 403.527(2)(a), ~~not less than 15~~ 5 days before the meeting and  
140 to the general public in accordance with s. 403.5363(4).

141 Section 4. Paragraph (c) of subsection (3) of section  
142 403.5363, Florida Statutes, is amended, and subsection (4) is  
143 added to that section, to read:

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144 403.5363 Public notices; requirements.--

145 (3) The department shall arrange for the publication of the  
146 following notices in the manner specified by chapter 120:

147 (c) The notice of the cancellation of a certification  
148 hearing, if applicable. The notice must be published not later  
149 than 3 7 days before the date of the originally scheduled  
150 certification hearing.

151 (4) A local government or regional planning council that  
152 proposes to conduct an informational public meeting pursuant to  
153 s. 403.5272 must publish notice of the meeting in a newspaper of  
154 general circulation within the county or counties in which the  
155 proposed electrical transmission line will be located no later  
156 than 7 days prior to the meeting. A newspaper of general  
157 circulation is the newspaper that has the largest daily  
158 circulation in that county and has its principal office in that  
159 county. If the newspaper having the largest daily circulation has  
160 its principal office outside the county, the notices shall appear  
161 in both the newspaper having the largest circulation in that  
162 county and in a newspaper authorized to publish legal notices in  
163 that county.

164 Section 5. This act shall take effect July 1, 2008.