



754684

LEGISLATIVE ACTION

Senate	.	House
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The Committee on Environmental Preservation and Conservation
(Sobel) recommended the following:

Senate Amendment (with title amendment)

Delete lines 188 - 209
and insert:

(p) For any proceeding arising under chapter 373, chapter 378, or chapter 403, if a nonapplicant petitions as a third party to challenge an agency's issuance of a license, permit, or conceptual approval, the order of presentation in the proceeding shall be for the permit applicant to present a prima facie case demonstrating entitlement to the license, permit, or conceptual approval, followed by the agency. This demonstration shall be made by entering into evidence the application and material



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13 submitted to the agency in support of the application, the
14 agency's staff report and notice of intent to approve the
15 permit, license, or conceptual approval, which the petitioner
16 shall rebut with competent and substantial evidence. The permit
17 applicant and agency may on rebuttal present any evidence
18 relevant to demonstrating that the application meets the
19 conditions for issuance. Notwithstanding subsection (1), this
20 paragraph applies to proceedings under s. 120.574.

21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 Delete lines 3 - 7

25 and insert:

26 s. 120.569, F.S.; requiring that a nonapplicant who
27 petitions to challenge an agency's issuance of a
28 license or conceptual approval rebut with competent
29 and substantial evidence certain evidence submitted by
30 the agency;