

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1399 (2012)

Amendment No. a6s

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee
2 Representative Nuñez offered the following:

3
4 **Amendment to Amendment (772869) by Representative Brandes**

5 Remove lines 3480-3500 of the amendment and insert:

6 Section 76. Notwithstanding s. 120.569, s. 120.57, or s.
7 373.427, Florida Statutes, or any other provision of law to the
8 contrary, a challenge to a consolidated environmental resource
9 permit or any associated variance or any sovereign submerged
10 lands authorization proposed or issued by the Department of
11 Environmental Protection in connection with the state's
12 deepwater ports, as listed in s. 403.021(9), Florida Statutes,
13 shall be conducted pursuant to the summary hearing provisions of
14 s. 120.574, Florida Statutes; however, the summary proceeding
15 shall be conducted within 30 days after a party files a motion
16 for a summary hearing, regardless of whether the parties agree
17 to the summary proceeding, and the administrative law judge's
18 decision shall be in the form of a recommended order and does
19 not constitute final agency action of the department. The

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Published On: 2/24/2012 3:52:18 PM

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20 Department of Environmental Protection shall issue the final
21 order within 45 working days after receipt of the administrative
22 law judge's recommended order. The summary hearing provisions of
23 this section apply to pending administrative proceedings;
24 however, s. 120.574(1)(b) and (d) and (2)(a)3. and 5. Florida
25 Statutes, do not apply to pending administrative proceedings.
26 This section shall take effect upon this act becoming a law.
27