

Amendment No.2

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WITHDRAWN ___ (Y/N)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: Rulemaking & Regulation
2 Subcommittee

3 Representative Porter offered the following:

4
5 **Amendment (with title amendment)**

6 Between lines 30 and 31, insert:

7 Section 1. Present subsection (5) of section 373.042,
8 Florida Statutes, is renumbered as subsection (6), and a new
9 subsection (5) is added to that section to read:

10 373.042 Minimum flows and levels.—

11 (5) A person substantially affected under s. 373.223(6) by
12 a proposed establishment of a minimum flow or level,
13 reservation, or recovery or prevention strategy in an adjoining
14 district may request a preliminary review by the department
15 before the rule adoption hearing by the governing board. Such a
16 request shall be made within 21 days after publication of the
17 notice of proposed rulemaking and shall suspend the applicable
18 rulemaking timeframes under s. 120.54 for 30 days, during which
19 time the department shall review the proposed rule and provide

Amendment No.2

20 comments for consideration by the governing board. The review
21 under this subsection is separate from the review under s.
22 373.114(2).

23
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25 **T I T L E A M E N D M E N T**

26 Between lines 2 and 3, insert:
27 amending s. 373.042, F.S.; providing for certain
28 affected persons to request a review of a proposed
29 minimum flow or level, reservation, or recovery
30 prevention or strategy by the Department of
31 Environmental Protection; suspending rulemaking
32 timeframes under ch. 120 during such review; requiring
33 the department to provide comments; providing
34 construction;