



602338

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/28/2012	.	
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The Committee on Budget (Margolis) recommended the following:

Senate Amendment (with title amendment)

Delete line 4674
and insert:

Section 101. Notwithstanding s. 120.569, s. 120.57, or s. 373.427, Florida Statutes, or any other provision of law to the contrary, a challenge to a consolidated environmental resource permit, or any associated variance, or any sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with the state's deepwater ports, as listed in s. 403.021(9), Florida Statutes, shall be conducted pursuant to the summary hearing provisions of s. 120.574, Florida Statutes; however, the summary proceeding



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14 shall be conducted within 30 days after a party files a motion
15 for a summary hearing, regardless of whether the parties agree
16 to the summary proceeding, and the administrative law judge's
17 decision shall be in the form of a recommended order and does
18 not constitute final agency action of the department. The
19 Department of Environmental Protection shall issue the final
20 order within 45 working days after receipt of the administrative
21 law judge's recommended order. The summary hearing provisions of
22 this section apply to pending administrative proceedings;
23 however, s. 120.574(1)(b) and (d) and (2)(a)3. and 5., Florida
24 Statutes, do not apply to pending administrative proceedings.
25 This section shall take effect upon this act becoming a law.

26 Section 102. Except as otherwise expressly provided in this
27 act and except for this section, which shall take effect upon
28 this act becoming a law, this act shall take effect July 1,
29 2012.

30
31 ===== T I T L E A M E N D M E N T =====

32 And the title is amended as follows:

33 Delete line 463

34 and insert:

35 providing that a consolidated environmental resource
36 permit, or associated variance, or any sovereign
37 submerged lands authorization proposed or issued by
38 the Department of Environmental Protection in
39 connection with specified deepwater ports is subject
40 to specified summary hearing provisions; requiring
41 such proceedings to be conducted within a certain
42 timeframe; providing that the administrative law



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43 judge's decision is a recommended order and does not
44 constitute final agency action of the department;
45 requiring the department to issue the final order
46 within a certain timeframe; providing applicability;
47 providing effective dates.