

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Lopez-Cantera offered the following:

**Substitute Amendment for Amendment (756001) (with title amendment)**

Remove line 129 and insert:

Section 4. Notwithstanding s. 120.569, s. 120.57, or s. 373.427, Florida Statutes, or any other provision of law to the contrary, 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 subject to the summary hearing provisions of s. 120.574, Florida Statutes. However, the summary proceeding shall be conducted within 30 days after a party files a motion for a summary hearing, regardless of whether the parties agree to the

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17 summary proceeding, and the administrative law judge's decision  
 18 shall be in the form of a recommended order and does not  
 19 constitute final agency action of the department. The department  
 20 shall issue the final order within 45 working days after receipt  
 21 of the administrative law judge's recommended order. The summary  
 22 hearing provisions of this section apply to pending  
 23 administrative proceedings. However, the provisions of s.  
 24 120.574(1)(b) and (d), Florida Statutes, do not apply to pending  
 25 administrative proceedings. This section shall take effect upon  
 26 this act becoming a law.

27 Section 5. Except as otherwise expressly provided in this  
 28 act, this act shall take effect July 1, 2012.

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**T I T L E   A M E N D M E N T**

Remove line 27 and insert:  
 providing that a consolidated environmental resource permit or  
 associated variance or any sovereign submerged lands  
 authorization proposed or issued by the Department of  
 Environmental Protection in connection with specified deepwater  
 ports is subject to specified summary hearing provisions;  
 requiring such proceedings to be conducted within a certain  
 timeframe; providing that the administrative law judge's  
 decision is a recommended order and does not constitute final  
 agency action of the department; requiring the department to

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44 issue the final order within a certain timeframe; providing  
45 applicability; providing effective dates.

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