



866662

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2012	.	
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The Committee on Budget Subcommittee on General Government Appropriations (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Delete 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 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



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

26 Section 5. 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 27

34 and insert:

35 programs; requiring a challenge to a consolidated  
36 environmental resource permit or associated variance  
37 or any sovereign submerged lands authorization  
38 proposed or issued by the Department of Environmental  
39 Protection in connection with specified deepwater  
40 ports to be conducted pursuant specified summary  
41 hearing provisions and within a certain timeframe;



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