



RICK SCOTT
GOVERNOR

June 16, 2015

Secretary Kenneth W. Detzner
Secretary of State
Florida Department of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

2015 JUN 16 PM 5:53
TALLAHASSEE, FLORIDA

Dear Secretary Detzner:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby veto and transmit my objections to Committee Substitute for Committee Substitute for House Bill 435, enacted during the 117th Session of the Legislature of Florida, during the Regular Session of 2015 and entitled:

An Act Relating to Administrative Procedures...

The bill proposes numerous changes to Florida's Administrative Procedures Act (APA), including modifications to the existing method of challenging an agency's proposed, existing and unadopted rules.

The APA provides uniform procedures for the exercise of specified agency authority, as well as an outline for parties affected by state agency actions to challenge determinations, such as the denial of a licensure application, an administrative complaint, or a challenge to the agency rules. While the goal of the legislation is to streamline part of the APA process, the bill has the potential to inflict more harm on an agency's ability to operate in an efficient and accountable manner, and best serve Florida taxpayers.

This bill alters the long-standing deference granted to agencies by shifting final action authority to an administrative law judge. This change has the potential to result

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in prolonged litigation impeding an agency's ability to perform core functions like sanctioning bad actors and protecting public health and safety. These changes create a situation that could paralyze agency rulemaking, delay enforcement actions, and create a backlog of court cases at an increased cost to the taxpayer.

For the reasons stated above, I withhold my approval of Committee Substitute for Committee Substitute for House Bill 435, and do hereby veto the same.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott". The signature is stylized with a large, looping initial "R" and a long, sweeping tail.

Rick Scott
Governor