

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Beshears offered the following:

Substitute Amendment for Amendment (655813) (with title amendment)

Between lines 1227 and 1228, insert:

Section 32. Subsection (3) and paragraph (b) of subsection (4) of section 339.175, Florida Statutes, are amended to read:

339.175 Metropolitan planning organization.—

(3) VOTING MEMBERSHIP.—

(a) 1. Except as provided in subparagraph 2., the voting membership of an M.P.O. shall consist of at least 5 but not more than 25 apportioned members, with the exact number determined on an equitable geographic-population ratio basis, based on an

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14 agreement among the affected units of general-purpose local
15 government and the Governor, as required by federal regulations.
16 However, the voting membership of an M.P.O. designated in an
17 urbanized area with a population of 500,000 or fewer shall have
18 no more than 11 apportioned members. In accordance with 23
19 U.S.C. s. 134, the Governor may also allow M.P.O. members who
20 represent municipalities to alternate with representatives from
21 other municipalities within the metropolitan planning area which
22 do not have members on the M.P.O. With the exception of
23 instances in which all of the county commissioners in a single-
24 county M.P.O. are members of the M.P.O. governing board, county
25 commissioners shall compose at least one-third of the M.P.O.
26 governing board membership. A multicounty M.P.O. may satisfy
27 this requirement by any combination of county commissioners from
28 each of the counties constituting the M.P.O. Voting members
29 shall be elected officials of general-purpose local governments,
30 one of whom may represent a group of general-purpose local
31 governments through an entity created by an M.P.O. for that
32 purpose. However, each municipality may only have one voting
33 member on an M.P.O. An M.P.O. may include, as part of its
34 apportioned voting members, a member of a statutorily authorized
35 planning board, an official of an agency that operates or
36 administers a major mode of transportation, or an official of
37 Space Florida. ~~As used in this section, the term "elected~~
38 ~~officials of a general-purpose local government" excludes~~

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39 ~~constitutional officers, including sheriffs, tax collectors,~~
40 ~~supervisors of elections, property appraisers, clerks of the~~
41 ~~court, and similar types of officials.~~ County commissioners
42 shall compose not less than 20 percent of the M.P.O. membership
43 if an official of an agency that operates or administers a major
44 mode of transportation has been appointed to an M.P.O. Each
45 M.P.O. shall adopt bylaws governing the operation of the M.P.O.,
46 including voting privileges. An M.P.O. may not adopt a weighted
47 voting structure.

48 2. For an M.P.O. designated on or after July 1, 2018, as a
49 result of a combination or merger of more than one individual
50 M.P.O., the voting membership shall consist of at least five
51 members, with the exact number determined on an equitable
52 geographic-population ratio basis, based on an agreement among
53 the affected units of general-purpose local government and the
54 Governor, as required by federal regulations. In accordance with
55 23 U.S.C. s. 134, the Governor may also allow M.P.O. members who
56 represent municipalities to alternate with representatives from
57 other municipalities within the metropolitan planning area which
58 do not have members on the M.P.O. Voting members shall be
59 elected officials of general-purpose local governments, one of
60 whom may represent a group of general-purpose local governments
61 through an entity created by an M.P.O. for that purpose. An
62 M.P.O. may include, as part of its apportioned voting members, a
63 member of a statutorily authorized planning board, an official

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64 of an agency that operates or administers a major mode of
65 transportation, or an official of Space Florida.

66
67 For purposes of this section, the term "elected officials of a
68 general-purpose local government" excludes constitutional
69 officers, including sheriffs, tax collectors, supervisors of
70 elections, property appraisers, clerks of the court, and similar
71 types of officials.

72 (b) In metropolitan areas in which authorities or other
73 agencies have been or may be created by law to perform
74 transportation functions and are or will be performing
75 transportation functions that are not under the jurisdiction of
76 a general-purpose local government represented on the M.P.O.,
77 such authorities or other agencies may be provided voting
78 membership on the M.P.O. In all other M.P.O.'s in which
79 transportation authorities or agencies are to be represented by
80 elected officials from general-purpose local governments, the
81 M.P.O. shall establish a process by which the collective
82 interests of such authorities or other agencies are expressed
83 and conveyed.

84 (c) Any other provision of this section to the contrary
85 notwithstanding, a charter ~~chartered~~ county with a population of
86 over 1 million population may elect to reapportion the
87 membership of an M.P.O. if the M.P.O. whose jurisdiction is

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88 wholly within the county. The charter county may exercise the
89 provisions of this paragraph if:

90 1. The M.P.O. approves the reapportionment plan by a
91 three-fourths vote of its membership;

92 2. The M.P.O. and the charter county determine that the
93 reapportionment plan is needed to fulfill specific goals and
94 policies applicable to that metropolitan planning area; and

95 3. The charter county determines the reapportionment plan
96 otherwise complies with all federal requirements pertaining to
97 M.P.O. membership.

98

99 A ~~Any~~ charter county that elects to exercise the provisions of
100 this paragraph shall notify the Governor in writing.

101 (d) Any other provision of this section to the contrary
102 notwithstanding, a any county as defined in s. 325.011(1)
103 ~~chartered under s. 6(c), Art. VIII of the State Constitution~~ may
104 elect to have its county commission serve as the M.P.O., if the
105 M.P.O. jurisdiction is wholly contained within the county. Any
106 charter county that elects to exercise the provisions of this
107 paragraph shall so notify the Governor in writing. Upon receipt
108 of such notification, the Governor must designate the county
109 commission as the M.P.O. The Governor must appoint four
110 additional voting members to the M.P.O., one of whom must be an
111 elected official representing a municipality within the county,
112 one of whom must be an expressway authority member, one of whom

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113 must be a person who does not hold elected public office and who
114 resides in the unincorporated portion of the county, and one of
115 whom must be a school board member.

116 (4) APPORTIONMENT.—

117 (b) Except for members who represent municipalities on the
118 basis of alternating with representatives from other
119 municipalities that do not have members on the M.P.O. as
120 provided in paragraph (3) (a), the members of an M.P.O. shall
121 serve 4-year terms. Members who represent municipalities on the
122 basis of alternating with representatives from other
123 municipalities that do not have members on the M.P.O. as
124 provided in paragraph (3) (a) may serve terms of up to 4 years as
125 further provided in the interlocal agreement described in
126 paragraph (2) (b). The membership of a member who is a public
127 official automatically terminates upon the member's leaving his
128 or her elective or appointive office for any reason, or may be
129 terminated by a majority vote of the total membership of the
130 entity's governing board represented by the member. A vacancy
131 shall be filled by the original appointing entity. A member may
132 be reappointed for no more than two ~~one or more~~ additional 4-
133 year terms.

134 Section 33. Notwithstanding any other provision of law to
135 the contrary, by July 1, 2019, each metropolitan planning
136 organization shall update its membership, interlocal agreement,
137 governing documents, and any other relevant information to

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138 comply with changes made by this act to s. 339.175, Florida
139 Statutes.

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T I T L E A M E N D M E N T

142
143 Between lines 175 and 176, insert:
144 339.175, F.S.; revising voting membership requirements
145 for certain metropolitan planning organizations based
146 on population; limiting each municipality to one
147 voting member on a governing board; requiring
148 metropolitan planning organizations to adopt certain
149 bylaws; providing voting membership requirements for
150 certain metropolitan planning organizations designated
151 on or after a specified date; revising provisions
152 relating to the reapportionment of members; requiring
153 metropolitan planning organizations to comply with
154 certain provisions by a specified date; amending s.

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