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Bill No. CS/HB 3807

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Barreiro offered the following:

Amendment (with title amendment)

On page 1,
remove from the bill: everything after the enacting clause,
and insert in lieu thereof:

Section 1. (1)(a) The Miami River Commission is hereby established as the official coordinating clearinghouse for all public policy and projects related to the Miami River to unite all governmental agencies, businesses, and residents in the area to speak with one voice on river issues, to develop coordinated plans, priorities, programs, projects, and budgets that might substantially improve the river area, and to act as the principal advocate and watchdog to ensure that river projects are funded and implemented in a proper and timely manner.

(b) The commission may seek and receive funding to further its coordinating functions regarding river improvement projects of the commission. Nothing in this act affects or supersedes the regulatory authority of any governmental agency

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1 or any local government and any responsibilities of any
2 governmental entity relating to the Miami River shall remain
3 with such respective governmental entity. However, the
4 commission may accept any specifically defined coordinating
5 authority or functions delegated to the commission by any
6 governmental entity, through a memorandum of understanding or
7 other legal instrument. The commission shall use powers of
8 persuasion to achieve its objectives through the process of
9 building a consensus work plan and through widespread
10 publication of regular progress reports.

11 (2) The Miami River Commission shall consist of:
12 (a) A policy committee comprised of the Governor, the
13 chair of the Dade delegation, the chair of the governing board
14 of the South Florida Water Management District, the Miami-Dade
15 County State Attorney, the Mayor of Miami, the Mayor of
16 Miami-Dade County, a commissioner of the City of Miami
17 Commission, a commissioner of the Miami-Dade County
18 Commission, the chair of the Miami River Marine Group, the
19 chair of the Marine Council, the Executive Director of the
20 Downtown Development Authority, and the chair of the Greater
21 Miami Chamber of Commerce; two neighborhood representatives,
22 selected from the Spring Garden Neighborhood Association, the
23 Grove Park Neighborhood Association, and the Miami River
24 Neighborhood Enhancement Corporation, one neighborhood
25 representative to be appointed by the city commission and one
26 neighborhood representative to be appointed by the county
27 commission, each selected from a list of 3 names submitted by
28 each such organization; one representative from an
29 environmental or civic association, appointed by the Governor;
30 and three members-at-large, who shall be persons who have a
31 demonstrated history of involvement on the Miami River through

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1 business, residence, or volunteer activity, one appointed by
2 the Governor, one appointed by the city commission, and one
3 appointed by the county commission. All members shall be
4 voting members. The committee shall also include a member of
5 the United States Congressional delegation and the Captain of
6 the Port of Miami as a representative of the United States
7 Coast Guard, as nonvoting, ex officio members. The policy
8 committee may meet monthly, but shall meet at least quarterly.

9 (b) A managing director who has the responsibility to
10 implement plans and programs.

11 (c) A working group consisting of all governmental
12 agencies that have jurisdiction in the Miami River area, as
13 well as representatives from business and civic associations.

14 (3) The policy committee shall have the following
15 powers and duties:

16 (a) Consolidate existing plans, programs, and
17 proposals into a coordinated strategic plan for improvement of
18 the Miami River and surrounding areas, addressing
19 environmental, economic, social, recreational, and aesthetic
20 issues. The committee shall monitor the progress on each
21 element of such plan and shall revise the plan regularly.

22 (b) Prepare an integrated financial plan using the
23 different jurisdictional agencies available for projected
24 financial resources. The committee shall monitor the progress
25 on each element of such plan and revise the plan regularly.

26 (c) Provide technical assistance and political support
27 as needed to help implement each element of the strategic and
28 financial plans.

29 (d) Accept any specifically defined coordinating
30 authority or function delegated to the committee by any level
31 of government through a memorandum of understanding or other

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1 legal instrument.

2 (e) Publicize a semiannual report describing
3 accomplishments of the commission and each member agency, as
4 well as the status of each pending task. The committee shall
5 distribute the report to the City and County Commissions and
6 Mayors, the Governor, chair of the Dade County delegation,
7 stakeholders and the local media.

8 (f) Seek grants from public and private sources and
9 receive grant funds to provide for the enhancement of its
10 coordinating functions and activities and administer contracts
11 that achieve these goals.

12 (g) Coordinate a joint planning area agreement between
13 the Department of Community Affairs, the city, and the county
14 under the provisions of s. 163.3177(11)(a),(b), and (c),
15 Florida Statutes.

16 (h) Provide a forum for exchange of information and
17 facilitate the resolution of conflicts.

18 (i) Act as a clearinghouse for public information and
19 conduct public education programs.

20 (j) Establish the Miami River working group, appoint
21 members to the group, and organize subcommittees, delegate
22 tasks, and seek council from members of the working group as
23 necessary to carry out the powers and duties listed in this
24 subsection.

25 (k) Elect officers and adopt rules of procedure as
26 necessary to carry out the powers and duties listed above and
27 solicit appointing authorities to name replacements for policy
28 committee members who do not participate on a regular basis.

29 (l) Hire the managing director, who shall be
30 authorized to represent the commission and to implement all
31 policies, plans, and programs of the commission. The committee

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1 shall employ any additional staff necessary to assist the
2 managing director.

3 Section 2. (1) No item, motion, directive, or policy
4 position that would impact or in any way diminish levels of
5 currently permitted commercial activity on the Miami River or
6 riverfront properties shall be adopted by the Miami River
7 Commission unless passed by a unanimous vote of the appointed
8 members of the commission then in office.

9 (2) No item, motion, directive, or policy position
10 suggesting, proposing, or otherwise promoting additional
11 taxes, fees, charges, or any other financial obligation on
12 owners of riverfront property or shipping companies or
13 operators shall be adopted by the Miami River Commission
14 unless passed by a unanimous vote of all appointed members of
15 the commission then in office.

16 Section 3. The Miami River Commission shall terminate
17 July 1, 2003, unless the Legislature, in a review of the
18 creation, operation, and accomplishments of the Miami River
19 Commission during the 2003 Regular Session, determines that
20 the commission should be continued and reenacts provisions
21 providing for its continuation.

22 Section 4. This act shall take effect upon becoming a
23 law.

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

27 And the title is amended as follows:

28 On page 1,
29
30 insert before the phrase providing an effective date:
31 prohibiting adoption of certain actions by the

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1 commission unless by a required minimum vote;
2 providing for future termination of the
3 commission pending legislative review and
4 reenactment;
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