

By Senator Forman

32-854-99

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

A bill to be entitled  
An act relating to metropolitan planning organizations; amending s. 339.175, F.S.; allowing the Governor to exempt a membership apportionment plan from certain provisions of that section; providing conditions to such an exemption; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 339.175, Florida Statutes, 1998 Supplement, is amended to read:

339.175 Metropolitan planning organization.--It is the intent of the Legislature to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will maximize the mobility of people and goods within and through urbanized areas of this state and minimize, to the maximum extent feasible, and together with applicable regulatory government agencies, transportation-related fuel consumption and air pollution. To accomplish these objectives, metropolitan planning organizations, referred to in this section as M.P.O.'s, shall develop, in cooperation with the state, transportation plans and programs for metropolitan areas. Such plans and programs must provide for the development of transportation facilities that will function as an intermodal transportation system for the metropolitan area. The process for developing such plans and programs shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems.

(2) VOTING MEMBERSHIP.--

1           (a) The voting membership of an M.P.O. shall consist  
2 of not fewer than 5 or more than 19 apportioned members, the  
3 exact number to be determined on an equitable  
4 geographic-population ratio basis by the Governor, based on an  
5 agreement among the affected units of general-purpose local  
6 government as required by federal rules and regulations. The  
7 Governor, in accordance with 23 U.S.C. s. 134, as amended by  
8 the Intermodal Surface Transportation Efficiency Act of 1991,  
9 may also provide for M.P.O. members who represent  
10 municipalities to alternate with representatives from other  
11 municipalities within the designated urban area that do not  
12 have members on the M.P.O. County commission members shall  
13 compose not less than one-third of the M.P.O. membership,  
14 except for an M.P.O. with more than 15 members located in a  
15 county with a five-member county commission or an M.P.O. with  
16 19 members located in a county with no more than 6 county  
17 commissioners, in which case county commission members may  
18 compose less than one-third percent of the M.P.O. membership,  
19 but all county commissioners must be members. All voting  
20 members shall be elected officials of general-purpose  
21 governments, except that an M.P.O. may include, as part of its  
22 apportioned voting members, a member of a statutorily  
23 authorized planning board or an official of an agency that  
24 operates or administers a major mode of transportation. In  
25 metropolitan areas in which authorities or other agencies have  
26 been, or may be, created by law to perform transportation  
27 functions that are not under the jurisdiction of a  
28 general-purpose local government represented on the M.P.O.,  
29 they shall be provided voting membership on the M.P.O. The  
30 county commission shall compose not less than 20 percent of  
31 the M.P.O. membership if an official of an agency that

1 operates or administers a major mode of transportation has  
2 been appointed to an M.P.O.

3 (b) Any other provision of this section to the  
4 contrary notwithstanding, any county chartered under s. 6(e),  
5 Art. VIII of the State Constitution may elect to have its  
6 county commission serve as the M.P.O., if the M.P.O.  
7 jurisdiction is wholly contained within the county. Any  
8 charter county that elects to exercise the provisions of this  
9 paragraph shall so notify the Governor in writing. Upon  
10 receipt of such notification, the Governor must designate the  
11 county commission as the M.P.O. The Governor must appoint  
12 four additional voting members to the M.P.O., one of whom must  
13 be an elected official representing a municipality within the  
14 county, one of whom must be an expressway authority member,  
15 one of whom must be a person who does not hold elected public  
16 office and who resides in the unincorporated portion of the  
17 county, and one of whom must be a school board member.

18 (c) An M.P.O. may submit to the Governor for  
19 consideration and approval a membership reapportionment plan  
20 that does not comply with paragraphs (a) and (b). The Governor  
21 may exempt the plan from the requirements of those paragraphs  
22 if the M.P.O. has demonstrated that such a membership  
23 reapportionment plan is needed to fulfill specific goals and  
24 policies that apply to that metropolitan planning area.  
25 However, membership reapportionment plans must comply, at a  
26 minimum, with all federal requirements pertaining to M.P.O.  
27 membership.

28 Section 2. This act shall take effect upon becoming a  
29 law.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

\*\*\*\*\*

SENATE SUMMARY

Allows the Governor to exempt a membership reapportionment plan for a metropolitan planning organization from the requirements of s. 339.175(2)(a) and (b) if the plan fulfills specific goals and policies applicable to that M.P.O. and complies with all applicable federal requirements.