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1 A bill to be entitled

2 An act relating to the Florida School for the Deaf and the
3 Blind; amending s. 11.45, F.S.; requiring the Auditor
4 General to conduct audits of the accounts and records of
5 the Florida School for the Deaf and the Blind; amending s.
6 1001.20, F.S.; including the Florida School for the Deaf
7 and Blind in the entities subject to inspection by the
8 Department of Education's Inspector General; amending s.
9 1002.36, F.S., relating to the Florida School for the Deaf
10 and the Blind; providing that the school is a component of
11 the delivery of public education within Florida's K-20
12 education system; requiring certain compliance; revising
13 audit requirements; revising provisions specifying
14 authority of the Board of Trustees for the Florida School
15 for the Deaf and the Blind to perform certain actions;
16 revising the power and authority of the board of trustees;
17 revising duties of the board of trustees; amending s.
18 1013.30, F.S.; expanding provisions relating to university
19 master plans and campus development agreements to be
20 applicable to the Florida School for the Deaf and the
21 Blind; providing requirements for campus planning and
22 concurrency management for the school; defining the term
23 "institution" to include universities and the Florida
24 School for the Deaf and the Blind; reenacting s.
25 163.3177(6)(h), F.S., relating to the intergovernmental
26 element of comprehensive plans, to incorporate the
27 amendment to s. 1013.30, F.S., in a reference thereto;
28 providing an effective date.

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

31
 32 Section 1. Paragraphs (f) through (k) of subsection (2) of
 33 section 11.45, Florida Statutes, are redesignated as paragraphs
 34 (g) through (l), respectively, and a new paragraph (f) is added
 35 to said subsection to read:

36 11.45 Definitions; duties; authorities; reports; rules.--

37 (2) DUTIES.--The Auditor General shall:

38 (f) Annually conduct audits of the accounts and records of
 39 the Florida School for the Deaf and the Blind.

40
 41 The Auditor General shall perform his or her duties
 42 independently but under the general policies established by the
 43 Legislative Auditing Committee. This subsection does not limit
 44 the Auditor General's discretionary authority to conduct other
 45 audits or engagements of governmental entities as authorized in
 46 subsection (3).

47 Section 2. Paragraph (e) of subsection (4) of section
 48 1001.20, Florida Statutes, is amended to read:

49 1001.20 Department under direction of state board.--

50 (4) The Department of Education shall establish the
 51 following offices within the Office of the Commissioner of
 52 Education which shall coordinate their activities with all other
 53 divisions and offices:

54 (e) *Office of Inspector General*.--Organized using existing
 55 resources and funds and responsible for promoting
 56 accountability, efficiency, and effectiveness and detecting
 57 fraud and abuse within school districts, the Florida School for
 58 the Deaf and the Blind, community colleges, and state

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59 universities in Florida. If the Commissioner of Education
 60 determines that a district school board, the Board of Trustees
 61 for the Florida School for the Deaf the Blind, or a public
 62 postsecondary educational institution board is unwilling or
 63 unable to address substantiated allegations made by any person
 64 relating to waste, fraud, or financial mismanagement, the office
 65 shall conduct, coordinate, or request investigations into
 66 substantiated allegations made by any person relating to waste,
 67 fraud, or financial mismanagement within school districts, the
 68 Florida School for the Deaf and the Blind, community colleges,
 69 and state universities in Florida. The office shall have access
 70 to all information and personnel necessary to perform its duties
 71 and shall have all of its current powers, duties, and
 72 responsibilities authorized in s. 20.055.

73 Section 3. Subsections (1), (3), and (4) of section
 74 1002.36, Florida Statutes, are amended to read:

75 1002.36 Florida School for the Deaf and the Blind.--

76 (1) RESPONSIBILITIES.--The Florida School for the Deaf and
 77 the Blind is a state-supported residential school for hearing-
 78 impaired and visually impaired students in preschool through
 79 12th grade. The school is a component of the delivery of public
 80 education within Florida's K-20 education system ~~part of the~~
 81 ~~state system of public education~~ and shall be funded through the
 82 Department of Education. The school shall provide educational
 83 programs and support services appropriate to meet the education
 84 and related evaluation and counseling needs of hearing-impaired
 85 and visually impaired students in the state who meet enrollment
 86 criteria. Unless otherwise provided by law, the school shall
 87 comply with all laws and rules generally applicable to state

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88 agencies. Education services may be provided on an outreach
 89 basis for sensory-impaired children ages 0 through 5 years and
 90 their parents. Graduates of the Florida School for the Deaf and
 91 the Blind shall be eligible for the William L. Boyd, IV, Florida
 92 Resident Access Grant Program as provided in s. 1009.89.

93 (3) AUDITS.--The Auditor General shall conduct annual
 94 audits of ~~audit~~ the accounts and records of the Florida School
 95 for the Deaf and the Blind ~~as provided in chapter 11.~~ The
 96 Department of Education's Inspector General is authorized to
 97 conduct investigations at the school as provided in s.
 98 1001.20(4)(e).

99 (4) BOARD OF TRUSTEES.--

100 (a) There is hereby created a Board of Trustees for the
 101 Florida School for the Deaf and the Blind which shall consist of
 102 seven members. Of these seven members, one appointee shall be a
 103 blind person and one appointee shall be a deaf person. Each
 104 member shall have been a resident of the state for a period of
 105 at least 10 years. Their terms of office shall be 4 years. The
 106 appointment of the trustees shall be by the Governor with the
 107 confirmation of the Senate. The Governor may remove any member
 108 for cause and shall fill all vacancies that occur.

109 (b) The board of trustees shall elect a chair annually.
 110 The trustees shall be reimbursed for travel expenses as provided
 111 in s. 112.061, the accounts of which shall be paid by the Chief
 112 Financial Officer upon itemized vouchers duly approved by the
 113 chair.

114 (c) The board of trustees has authority to adopt rules
 115 pursuant to ss. 120.536(1) and 120.54 to implement provisions of
 116 law relating to operation of the Florida School for the Deaf and

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117 the Blind. Such rules shall be submitted to the State Board of
 118 Education for approval or disapproval. After a rule is approved
 119 ~~If any rule is not disapproved by the State Board of Education~~
 120 ~~within 60 days of its receipt~~ by the State Board of Education,
 121 the rule shall be filed immediately with the Department of
 122 State. The board of trustees shall act at all times in
 123 conjunction with the rules of the State Board of Education.

124 (d) The board of trustees is a body corporate and shall
 125 have a corporate seal. Unless otherwise provided by law, all
 126 actions of the board of trustees shall be consistent with all
 127 laws and rules applicable to state agencies. Title to any gift,
 128 donation, or bequest received by the board of trustees pursuant
 129 to subparagraph (e)13. ~~subsection (5)~~ shall vest in the board of
 130 trustees. Title to all other property and other assets of the
 131 Florida School for the Deaf and the Blind shall vest in the
 132 State Board of Education, but the board of trustees shall have
 133 complete jurisdiction over the management of the school. ~~and~~

134 (e) The board of trustees is invested with full power and
 135 authority to:

136 1. Appoint a president, faculty, teachers, and other
 137 employees and remove the same as in its judgment may be best and
 138 fix their compensation. ~~;~~ ~~to~~

139 2. Reemploy certain retired members of the Florida
 140 Retirement System as substitute teachers, substitute residential
 141 instructors, or substitute nurses as provided in s. 121.091.

142 3. Extend the period that certain employees may
 143 participate in the Deferred Retirement Option Program as
 144 provided in s. 121.091.

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145 4. Procure professional services, such as medical, mental
146 health, architectural, and engineering, ~~and legal services;~~ ~~to~~

147 5. Procure legal services without the prior written
148 approval of the Attorney General.

149 6. Determine eligibility of students and procedure for
150 admission. ~~;~~ ~~to~~

151 7. Provide for the students of the school necessary
152 bedding, clothing, food, and medical attendance and such other
153 things as may be proper for the health and comfort of the
154 students without cost to their parents, except that the board of
155 trustees may set tuition and other fees for nonresidents. ~~;~~ ~~to~~

156 8. Provide for the proper keeping of accounts and records
157 and for budgeting of funds. ~~;~~ ~~to~~

158 9. Enter into contracts. ~~;~~ ~~to~~

159 10. Sue and be sued. ~~;~~ ~~to~~

160 11. Secure public liability insurance. ~~;~~ ~~and to~~

161 12. Do and perform every other matter or thing requisite
162 to the proper management, maintenance, support, and control of
163 the school at the highest efficiency economically possible, the
164 board of trustees taking into consideration the purposes of the
165 establishment.

166 13. ~~(e)1.~~ ~~The board of trustees is authorized to~~ Receive
167 gifts, donations, and bequests of money or property, real or
168 personal, tangible or intangible, from any person, firm,
169 corporation, or other legal entity. However, the board of
170 trustees may not obligate the state to any expenditure or policy
171 that is not specifically authorized by law.

172 ~~2.~~ If the bill of sale, will, trust indenture, deed, or
173 other legal conveyance specifies terms and conditions concerning

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174 the use of such money or property, the board of trustees shall
 175 observe such terms and conditions.

176 ~~14.3. The board of trustees may~~ Deposit outside the State
 177 Treasury such moneys as are received as gifts, donations, or
 178 bequests and may disburse and expend such moneys, upon its own
 179 warrant, for the use and benefit of the Florida School for the
 180 Deaf and the Blind and its students, as the board of trustees
 181 deems to be in the best interest of the school and its students.
 182 Such money or property shall not constitute or be considered a
 183 part of any legislative appropriation, and such money shall not
 184 be used to compensate any person for engaging in lobbying
 185 activities before the House of Representatives or Senate or any
 186 committee thereof.

187 ~~15.4. The board of trustees may~~ Sell or convey by bill of
 188 sale, deed, or other legal instrument any property, real or
 189 personal, received as a gift, donation, or bequest, upon such
 190 terms and conditions as the board of trustees deems to be in the
 191 best interest of the school and its students.

192 ~~16.5. The board of trustees may~~ Invest such moneys in
 193 securities enumerated under s. 218.415(16)(a)-(f) ~~s. 215.47~~, and
 194 in The Common Fund, an Investment Management Fund exclusively
 195 for nonprofit educational institutions.

196 (f) The board of trustees shall:

197 1. Prepare and submit legislative budget requests for
 198 operations and fixed capital outlay, ~~including fixed capital~~
 199 ~~outlay requests~~, in accordance with chapter 216 and ss. s.
 200 1011.56 and 1013.60, to the Department of Education for review
 201 and approval. The department must analyze the amount requested
 202 for fixed capital outlay to determine if the request is

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203 consistent with the school's campus master plan, educational
 204 plant survey, and facilities master plan.

205 2. Approve and administer an annual operating budget in
 206 accordance with ss. 1011.56 and 1011.57.

207 3. Require all funds received other than gifts, donations,
 208 and bequests to be deposited in the State Treasury and expended
 209 as authorized in the General Appropriations Act.

210 4. Require all purchases to be in accordance with the
 211 provisions of chapter 287.

212 ~~5.2-~~ Administer and maintain personnel programs for all
 213 employees of the board of trustees and the Florida School for
 214 the Deaf and the Blind who shall be state employees, including
 215 the personnel classification and pay plan established in
 216 accordance with ss. 110.205(2)(d) and 216.251(2)(a)2. for
 217 academic and academic administrative personnel, the provisions
 218 of chapter 110, and the provisions of law that grant authority
 219 to the Department of Management Services over such programs for
 220 state employees.

221 6. Give preference in appointment and retention in
 222 positions of employment as provided within s. 295.07(1).

223 7. Ensure that the Florida School for the Deaf and the
 224 Blind complies with s. 1013.30 concerning campus master plans
 225 and campus development agreements.

226 8. Ensure that the Florida School for the Deaf and the
 227 Blind complies with s. 112.061 concerning per diem and travel
 228 expenses of public officers, employees, and authorized persons.

229 ~~9.3-~~ Adopt a master plan which specifies the mission and
 230 objectives of the Florida School for the Deaf and the Blind. The
 231 plan shall include, but not be limited to, procedures for

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232 systematically measuring the school's progress toward meeting
 233 its objectives, analyzing changes in the student population, and
 234 modifying school programs and services to respond to such
 235 changes. The plan shall be for a period of 5 years and shall be
 236 reviewed for needed modifications every 2 years. The board of
 237 trustees shall submit the initial plan and subsequent
 238 modifications to the Speaker of the House of Representatives and
 239 the President of the Senate.

240 ~~4. Seek the advice of the Division of Public Schools~~
 241 ~~within the Department of Education.~~

242 ~~10.(g) The Board of Trustees for the Florida School for~~
 243 ~~the Deaf and the Blind, located in St. Johns County, shall~~
 244 Designate a portion of the school as "The Verle Allyn Pope
 245 Complex for the Deaf," in tribute to the late Senator Verle
 246 Allyn Pope.

247 Section 4. Section 1013.30, Florida Statutes, is amended
 248 to read:

249 1013.30 ~~University~~ Campus master plans and campus
 250 development agreements for universities and the Florida School
 251 for the Deaf and the Blind.--

252 (1) This section contains provisions for campus planning
 253 and concurrency management that supersede the requirements of
 254 part II of chapter 163, except when stated otherwise in this
 255 section. These special growth management provisions are adopted
 256 in recognition of the unique relationship between ~~university~~
 257 campuses of universities and the Florida School for the Deaf and
 258 the Blind and the local governments in which they are located.
 259 While the campuses provide research and educational benefits of
 260 statewide and national importance, and further provide

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261 substantial educational, economic, and cultural benefits to
 262 their host local governments, they may also have an adverse
 263 impact on the public facilities and services and natural
 264 resources of host governments. On balance, however, universities
 265 and the Florida School for the Deaf and the Blind should be
 266 considered as vital public facilities of the state and local
 267 governments. The intent of this section is to address this
 268 unique relationship by providing for the preparation of campus
 269 master plans and associated campus development agreements.

270 (2) As used in this section:

271 (a) "Affected local government" means a unit of local
 272 government that provides public services to or is responsible
 273 for maintaining facilities within a campus of an institution or
 274 is directly affected by development that is proposed for a
 275 campus.

276 (b) "Affected person" means a host local government; an
 277 affected local government; any state, regional, or federal
 278 agency; or a person who resides, owns property, or owns or
 279 operates a business within the boundaries of a host local
 280 government or affected local government.

281 (c) "Host local government" means a local government
 282 within the jurisdiction of which all or part of a campus of an
 283 institution is located, but does not include a county if no part
 284 of an institution is located within its unincorporated area.

285 (d) "Institution" means a university and the Florida
 286 School for the Deaf and the Blind.

287 (3) Each institution's ~~university~~ board of trustees shall
 288 prepare and adopt a campus master plan for the institution
 289 ~~university~~. The master plan must identify general land uses and

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290 address the need for and plans for provision of roads, parking,
 291 public transportation, solid waste, drainage, sewer, potable
 292 water, and recreation and open space during the coming 10 to 20
 293 years. The plans must contain elements relating to future land
 294 use, intergovernmental coordination, capital improvements,
 295 recreation and open space, general infrastructure, housing, and
 296 conservation. Each element must address compatibility with the
 297 surrounding community. The master plan must identify specific
 298 land uses, location of structures, densities and intensities of
 299 use, and contain standards for onsite development, site design,
 300 environmental management, and the preservation of historic and
 301 archaeological resources. The transportation element must
 302 address reasonable transportation demand management techniques
 303 to minimize offsite impacts where possible. Data and analyses on
 304 which the elements are based must include, at a minimum: the
 305 characteristics of vacant lands; projected impacts of
 306 development on onsite and offsite infrastructure, public
 307 services, and natural resources; student enrollment projections;
 308 student housing needs; and the need for academic and support
 309 facilities. Master plans must be updated at least every 5 years.

310 (4) Campus master plans may contain additional elements at
 311 the discretion of the State Board of Education; however, such
 312 elements are not subject to review under this section. These
 313 additional elements may include the academic mission of the
 314 institution, academic program, utilities, public safety,
 315 architectural design, landscape architectural design, and
 316 facilities maintenance.

317 (5) Subject to the right of the institution's ~~university~~
 318 board of trustees to initiate the dispute resolution provisions

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319 of subsection (8), a campus master plan must not be in conflict
 320 with the comprehensive plan of the host local government and the
 321 comprehensive plan of any affected local governments. A campus
 322 master plan must be consistent with the state comprehensive
 323 plan.

324 (6) Before a campus master plan is adopted, a copy of the
 325 draft master plan must be sent for review to the host and any
 326 affected local governments, the state land planning agency, the
 327 Department of Environmental Protection, the Department of
 328 Transportation, the Department of State, the Fish and Wildlife
 329 Conservation Commission, and the applicable water management
 330 district and regional planning council. These agencies must be
 331 given 90 days after receipt of the campus master plans in which
 332 to conduct their review and provide comments to the
 333 institution's ~~university~~ board of trustees. The commencement of
 334 this review period must be advertised in newspapers of general
 335 circulation within the host local government and any affected
 336 local government to allow for public comment. Following receipt
 337 and consideration of all comments, and the holding of at least
 338 two public hearings within the host jurisdiction, the
 339 institution's ~~university~~ board of trustees shall adopt the
 340 campus master plan. It is the intent of the Legislature that the
 341 institution's ~~university~~ board of trustees comply with the
 342 notice requirements set forth in s. 163.3184(15) to ensure full
 343 public participation in this planning process. Campus master
 344 plans developed under this section are not rules and are not
 345 subject to chapter 120 except as otherwise provided in this
 346 section.

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347 (7) Notice that the campus master plan has been adopted
 348 must be forwarded within 45 days after its adoption to any
 349 affected person that submitted comments on the draft campus
 350 master plan. The notice must state how and where a copy of the
 351 master plan may be obtained or inspected. Within 30 days after
 352 receipt of the notice of adoption of the campus master plan, or
 353 30 days after the date the adopted plan is available for review,
 354 whichever is later, an affected person who submitted comments on
 355 the draft master plan may petition the institution's ~~university~~
 356 board of trustees, challenging the campus master plan as not
 357 being in compliance with this section or any rule adopted under
 358 this section. The petition must state each objection, identify
 359 its source, and provide a recommended action. A petition filed
 360 by an affected local government may raise only those issues
 361 directly pertaining to the public facilities or services that
 362 the affected local government provides to or maintains within
 363 the campus or to the direct impact that campus development would
 364 have on the affected local government.

365 (8) Following receipt of a petition, the petitioning party
 366 or parties and the institution's ~~university~~ board of trustees
 367 shall mediate the issues in dispute as follows:

368 (a) The parties have 60 days to resolve the issues in
 369 dispute. Other affected parties that submitted comments on the
 370 draft campus master plan must be given the opportunity to
 371 participate in these and subsequent proceedings.

372 (b) If resolution of the matter cannot be achieved within
 373 60 days, the issues must be submitted to the state land planning
 374 agency. The state land planning agency has 60 days to hold
 375 informal hearings, if necessary, identify the issues remaining

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376 in dispute, prepare a record of the proceedings, and submit the
 377 matter to the Administration Commission for final action. The
 378 report to the Administration Commission must list each issue in
 379 dispute, describe the nature and basis for each dispute,
 380 identify alternative resolutions of the dispute, and make
 381 recommendations.

382 (c) After receiving the report from the state land
 383 planning agency, the Administration Commission shall take action
 384 to resolve the issues in dispute. In deciding upon a proper
 385 resolution, the Administration Commission shall consider the
 386 nature of the issues in dispute, the compliance of the parties
 387 with this section, the extent of the conflict between the
 388 parties, the comparative hardships, and the public interest
 389 involved. If the Administration Commission incorporates in its
 390 final order a term or condition that specifically requires the
 391 institution's ~~university~~ board of trustees or a local government
 392 to amend or modify its plan, the institution's ~~university~~ board
 393 of trustees shall have a reasonable period of time to amend or
 394 modify its plan, and a local government shall initiate the
 395 required plan amendment, which shall be exempt from the
 396 requirements of s. 163.3187(1). Any required amendment to a
 397 local government comprehensive plan must be limited in scope so
 398 as to only relate to specific impacts attributable to the campus
 399 development. The final order of the Administration Commission is
 400 subject to judicial review as provided in s. 120.68.

401 (9) An amendment to a campus master plan must be reviewed
 402 and adopted under subsections (6)-(8) if such amendment, alone
 403 or in conjunction with other amendments, would:

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404 (a) Increase density or intensity of use of land on the
 405 campus by more than 10 percent;

406 (b) Decrease the amount of natural areas, open space, or
 407 buffers on the campus by more than 10 percent; or

408 (c) Rearrange land uses in a manner that will increase the
 409 impact of any proposed campus development by more than 10
 410 percent on a road or on another public facility or service
 411 provided or maintained by the state, the county, the host local
 412 government, or any affected local government.

413 (10) Upon adoption of a campus master plan, the
 414 institution's ~~university~~ board of trustees shall draft a
 415 proposed campus development agreement for each local government
 416 and send it to the local government within 270 days after the
 417 adoption of the relevant campus master plan.

418 (11) At a minimum, each campus development agreement:

419 (a) Must identify the geographic area of the campus and
 420 local government covered by the campus development agreement.

421 (b) Must establish its duration, which must be at least 5
 422 years and not more than 10 years.

423 (c) Must address public facilities and services including
 424 roads, sanitary sewer, solid waste, drainage, potable water,
 425 parks and recreation, and public transportation.

426 (d) Must, for each of the facilities and services listed
 427 in paragraph (c), identify the level-of-service standard
 428 established by the applicable local government, identify the
 429 entity that will provide the service to the campus, and describe
 430 any financial arrangements between the State Board of Education
 431 and other entities relating to the provision of the facility or
 432 service.

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433 (e) Must, for each of the facilities and services listed
 434 in paragraph (c), determine the impact of existing and proposed
 435 campus development reasonably expected over the term of the
 436 campus development agreement on each service or facility and any
 437 deficiencies in such service or facility which the proposed
 438 campus development will create or to which it will contribute.

439 (f) May, if proposed by the institution's ~~university~~ board
 440 of trustees, address the issues prescribed in paragraphs (d) and
 441 (e) with regard to additional facilities and services,
 442 including, but not limited to, electricity, nonpotable water,
 443 law enforcement, fire and emergency rescue, gas, and telephone.

444 (g) Must, to the extent it addresses issues addressed in
 445 the campus master plan and host local government comprehensive
 446 plan, be consistent with the adopted campus master plan and host
 447 local government comprehensive plan.

448 (12)(a) Each proposed campus development agreement must
 449 clearly identify the lands to which the institution's ~~university~~
 450 board of trustees intends the campus development agreement to
 451 apply.

452 (b) Such land may include:

453 1. Land to be purchased by the institution's ~~university~~
 454 board of trustees and if purchased with state appropriated funds
 455 titled in the name of the board of trustees of the Internal
 456 Improvement Trust Fund for use by an institution over the life
 457 of the campus development agreement.

458 2. Land not owned by the board of trustees of the Internal
 459 Improvement Trust Fund if the institution's ~~university~~ board of
 460 trustees intends to undertake development activities on the land
 461 during the term of the campus development agreement.

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462 (c) Land owned by the Board of Trustees of the Internal
 463 Improvement Trust Fund for lease to the State Board of Education
 464 acting on behalf of the institution may be excluded, but any
 465 development activity undertaken on excluded land is subject to
 466 part II of chapter 163.

467 (13) With regard to the impact of campus development on
 468 the facilities and services listed in paragraph (11)(c), the
 469 following applies:

470 (a) All improvements to facilities or services which are
 471 necessary to eliminate the deficiencies identified in paragraph
 472 (11)(e) must be specifically listed in the campus development
 473 agreement.

474 (b) The institution's ~~university~~ board of trustees' fair
 475 share of the cost of the measures identified in paragraph (a)
 476 must be stated in the campus development agreement. In
 477 determining the fair share, the effect of any demand management
 478 techniques, which may include such techniques as flexible work
 479 hours and carpooling, that are used by the State Board of
 480 Education to minimize the offsite impacts shall be considered.

481 (c) The institution's ~~university~~ board of trustees is
 482 responsible for paying the fair share identified in paragraph
 483 (b), and it may do so by:

484 1. Paying a fair share of each of the improvements
 485 identified in paragraph (a); or

486 2. Taking on full responsibility for the improvements,
 487 selected from the list of improvements identified in paragraph
 488 (a), and agreed to between the host local government and the
 489 State Board of Education, the total cost of which equals the
 490 contribution identified in paragraph (b).

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491 (d) All concurrency management responsibilities of the
 492 institution's ~~university~~ board of trustees are fulfilled if the
 493 institution's ~~university~~ board of trustees expends the total
 494 amount of funds identified in paragraph (b) notwithstanding that
 495 the institution's ~~university~~ board of trustees may not have
 496 undertaken or made contributions to some of the measures
 497 identified in paragraph (a).

498 (e) Capital projects included in the campus development
 499 agreement may be used by the local government for the
 500 concurrency management purposes.

501 (f) Funds provided by institutions ~~universities~~ in
 502 accordance with campus development agreements are subject to
 503 appropriation by the Legislature. A development authorized by a
 504 campus development agreement may not be built until the funds to
 505 be provided pursuant to paragraph (b) are appropriated by the
 506 Legislature.

507 (14) A campus development agreement may not address or
 508 include any standards or requirements for onsite development,
 509 including environmental management requirements or requirements
 510 for site preparation.

511 (15) Once the institution's ~~university~~ board of trustees
 512 and host local government agree on the provisions of the campus
 513 development agreement, the campus development agreement shall be
 514 executed by the institution's ~~university~~ board of trustees and
 515 the host local government in a manner consistent with the
 516 requirements of s. 163.3225. Once the campus development
 517 agreement is executed, it is binding upon the institution's
 518 ~~university~~ board of trustees and host local government. A copy
 519 of the executed campus development agreement must be sent to the

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520 state land planning agency within 14 days after the date of
521 execution.

522 (16) If, within 180 days following the host local
523 government's receipt of the proposed campus development
524 agreement, the institution's ~~university~~ board of trustees and
525 host local government cannot reach agreement on the provisions
526 of the campus development agreement, the following procedures
527 for resolving the matter must be followed:

528 (a) The matter must be submitted to the state land
529 planning agency, which has 60 days to hold informal hearings, if
530 necessary, and identify the issues remaining in dispute, prepare
531 a record of the proceedings, and submit the matter to the
532 Administration Commission for final action. The report to the
533 Administration Commission must list each issue in dispute,
534 describe the nature and basis for each dispute, identify
535 alternative resolutions of each dispute, and make
536 recommendations.

537 (b) After receiving the report from the state land
538 planning agency, the Administration Commission shall take action
539 to resolve the issues in dispute. In deciding upon a proper
540 resolution, the Administration Commission shall consider the
541 nature of the issues in dispute, the compliance of the parties
542 with this section, the extent of the conflict between the
543 parties, the comparative hardships, and the public interest
544 involved. In resolving the matter, the Administration Commission
545 may prescribe, by order, the contents of the campus development
546 agreement.

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547 (17) Disputes that arise in the implementation of an
 548 executed campus development agreement must be resolved as
 549 follows:

550 (a) Each party shall select one mediator and notify the
 551 other in writing of the selection. Thereafter, within 15 days
 552 after their selection, the two mediators selected by the parties
 553 shall select a neutral, third mediator to complete the mediation
 554 panel.

555 (b) Each party is responsible for all costs and fees
 556 payable to the mediator selected by it and shall equally bear
 557 responsibility for the costs and fees payable to the third
 558 mediator for services rendered and costs expended in connection
 559 with resolving disputes pursuant to the campus development
 560 agreement.

561 (c) Within 10 days after the selection of the mediation
 562 panel, proceedings must be convened by the panel to resolve the
 563 issues in dispute.

564 (d) Within 60 days after the convening of the panel, the
 565 panel shall issue a report containing a recommended resolution
 566 of the issues in dispute.

567 (e) If either the institution's ~~university~~ board of
 568 trustees or the local government rejects the recommended
 569 resolution of the issues in dispute, the disputed issues must be
 570 resolved pursuant to the procedures provided by subsection (16).

571 (18) Once the campus development agreement is executed,
 572 all campus development may proceed without further review by the
 573 host local government if it is consistent with the adopted
 574 campus master plan and associated campus development agreement.

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575 (19) A campus development agreement may be amended under
 576 subsections (10)-(16):

577 (a) In conjunction with any amendment to the campus master
 578 plan subject to the requirements in subsection (9).

579 (b) If either party delays by more than 12 months the
 580 construction of a capital improvement identified in the
 581 agreement.

582 (20) Any party to a campus development agreement or
 583 aggrieved or adversely affected person, as defined in s.
 584 163.3215(2), may file an action for injunctive relief in the
 585 circuit court where the host local government is located to
 586 enforce the terms of a campus development agreement or to
 587 challenge compliance of the agreement with this section. This
 588 action shall be the sole and exclusive remedy of an adversely
 589 affected person other than a party to the agreement to enforce
 590 any rights or obligations arising from a development agreement.

591 (21) State and regional environmental program requirements
 592 remain applicable, except that this section supersedes all other
 593 sections of part II of chapter 163 and s. 380.06 except as
 594 provided in this section.

595 (22) In consultation with the state land planning agency,
 596 the State Board of Education shall adopt rules implementing
 597 subsections (3)-(6). The rules must set specific schedules and
 598 procedures for the development and adoption of campus master
 599 plans.

600 (23) Until the campus master plan and campus development
 601 agreement for an institution have been finalized, any dispute
 602 between the institution's ~~university~~ board of trustees and a
 603 local government relating to campus development for that

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604 institution shall be resolved by the process established in
 605 subsection (8).

606 Section 5. For the purpose of incorporating the amendment
 607 to section 1013.30, Florida Statutes, in a reference thereto,
 608 paragraph (h) of subsection (6) of section 163.3177, Florida
 609 Statutes, is reenacted to read:

610 163.3177 Required and optional elements of comprehensive
 611 plan; studies and surveys.--

612 (6) In addition to the requirements of subsections (1)-
 613 (5), the comprehensive plan shall include the following
 614 elements:

615 (h)1. An intergovernmental coordination element showing
 616 relationships and stating principles and guidelines to be used
 617 in the accomplishment of coordination of the adopted
 618 comprehensive plan with the plans of school boards and other
 619 units of local government providing services but not having
 620 regulatory authority over the use of land, with the
 621 comprehensive plans of adjacent municipalities, the county,
 622 adjacent counties, or the region, with the state comprehensive
 623 plan and with the applicable regional water supply plan approved
 624 pursuant to s. 373.0361, as the case may require and as such
 625 adopted plans or plans in preparation may exist. This element of
 626 the local comprehensive plan shall demonstrate consideration of
 627 the particular effects of the local plan, when adopted, upon the
 628 development of adjacent municipalities, the county, adjacent
 629 counties, or the region, or upon the state comprehensive plan,
 630 as the case may require.

631 a. The intergovernmental coordination element shall
 632 provide for procedures to identify and implement joint planning

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633 areas, especially for the purpose of annexation, municipal
 634 incorporation, and joint infrastructure service areas.

635 b. The intergovernmental coordination element shall
 636 provide for recognition of campus master plans prepared pursuant
 637 to s. 1013.30.

638 c. The intergovernmental coordination element may provide
 639 for a voluntary dispute resolution process as established
 640 pursuant to s. 186.509 for bringing to closure in a timely
 641 manner intergovernmental disputes. A local government may
 642 develop and use an alternative local dispute resolution process
 643 for this purpose.

644 2. The intergovernmental coordination element shall
 645 further state principles and guidelines to be used in the
 646 accomplishment of coordination of the adopted comprehensive plan
 647 with the plans of school boards and other units of local
 648 government providing facilities and services but not having
 649 regulatory authority over the use of land. In addition, the
 650 intergovernmental coordination element shall describe joint
 651 processes for collaborative planning and decisionmaking on
 652 population projections and public school siting, the location
 653 and extension of public facilities subject to concurrency, and
 654 siting facilities with countywide significance, including
 655 locally unwanted land uses whose nature and identity are
 656 established in an agreement. Within 1 year of adopting their
 657 intergovernmental coordination elements, each county, all the
 658 municipalities within that county, the district school board,
 659 and any unit of local government service providers in that
 660 county shall establish by interlocal or other formal agreement
 661 executed by all affected entities, the joint processes described

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662 in this subparagraph consistent with their adopted
 663 intergovernmental coordination elements.

664 3. To foster coordination between special districts and
 665 local general-purpose governments as local general-purpose
 666 governments implement local comprehensive plans, each
 667 independent special district must submit a public facilities
 668 report to the appropriate local government as required by s.
 669 189.415.

670 4.a. Local governments adopting a public educational
 671 facilities element pursuant to s. 163.31776 must execute an
 672 interlocal agreement with the district school board, the county,
 673 and nonexempt municipalities, as defined by s. 163.31776(1),
 674 which includes the items listed in s. 163.31777(2). The local
 675 government shall amend the intergovernmental coordination
 676 element to provide that coordination between the local
 677 government and school board is pursuant to the agreement and
 678 shall state the obligations of the local government under the
 679 agreement.

680 b. Plan amendments that comply with this subparagraph are
 681 exempt from the provisions of s. 163.3187(1).

682 5. The state land planning agency shall establish a
 683 schedule for phased completion and transmittal of plan
 684 amendments to implement subparagraphs 1., 2., and 3. from all
 685 jurisdictions so as to accomplish their adoption by December 31,
 686 1999. A local government may complete and transmit its plan
 687 amendments to carry out these provisions prior to the scheduled
 688 date established by the state land planning agency. The plan
 689 amendments are exempt from the provisions of s. 163.3187(1).

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690 6. By January 1, 2004, any county having a population
 691 greater than 100,000, and the municipalities and special
 692 districts within that county, shall submit a report to the
 693 Department of Community Affairs which:

694 a. Identifies all existing or proposed interlocal service-
 695 delivery agreements regarding the following: education; sanitary
 696 sewer; public safety; solid waste; drainage; potable water;
 697 parks and recreation; and transportation facilities.

698 b. Identifies any deficits or duplication in the provision
 699 of services within its jurisdiction, whether capital or
 700 operational. Upon request, the Department of Community Affairs
 701 shall provide technical assistance to the local governments in
 702 identifying deficits or duplication.

703 7. Within 6 months after submission of the report, the
 704 Department of Community Affairs shall, through the appropriate
 705 regional planning council, coordinate a meeting of all local
 706 governments within the regional planning area to discuss the
 707 reports and potential strategies to remedy any identified
 708 deficiencies or duplications.

709 8. Each local government shall update its
 710 intergovernmental coordination element based upon the findings
 711 in the report submitted pursuant to subparagraph 6. The report
 712 may be used as supporting data and analysis for the
 713 intergovernmental coordination element.

714 9. By February 1, 2003, representatives of municipalities,
 715 counties, and special districts shall provide to the Legislature
 716 recommended statutory changes for annexation, including any
 717 changes that address the delivery of local government services
 718 in areas planned for annexation.

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Section 6. This act shall take effect upon becoming a law.