

1 A bill to be entitled
 2 An act relating to growth management incentives; providing
 3 for a pilot project on regional growth management
 4 strategies and solutions; providing a popular name;
 5 providing legislative intent; providing definitions;
 6 creating the Regional Planning Area Governing Board;
 7 providing for membership; requiring the Legislature to
 8 appropriate moneys to the Department of Community Affairs
 9 for a pilot project to be used in regional planning areas
 10 for certain purposes; providing criteria; providing for
 11 designation by the Governor of regional planning areas;
 12 providing application requirements and procedures for
 13 designation; requiring the Governor to designate by
 14 Executive Order five regional planning areas by a time
 15 certain; providing requirements; requiring regional task
 16 forces to submit a report to the governing board;
 17 providing report requirements; requiring the governing
 18 board to review and rank project requests and post notice
 19 of certain funding awards; requiring approved projects to
 20 be under contract by a time certain; specifying project
 21 eligibility criteria; providing criteria for priority
 22 incentive funding ranking of projects; requiring the
 23 governing board to submit a report after award of certain
 24 funds for the pilot project; providing report
 25 requirements; providing for abolition of the governing
 26 board; providing an appropriation; creating s. 163.3247,
 27 F.S.; providing a popular name; providing legislative
 28 findings and intent; creating the Century Commission for

29 certain purposes; providing for appointment of commission
30 members; providing for terms; providing for meetings and
31 votes of members; requiring members to serve without
32 compensation; providing for per diem and travel expenses;
33 providing powers and duties of the commission; requiring
34 the creation of a joint select committee of the
35 Legislature; providing purposes; requiring the Secretary
36 of Community Affairs to select an executive director of
37 the commission; requiring the Department of Community
38 Affairs to provide staff for the commission; providing for
39 other agency staff support for the commission; providing
40 an appropriation; providing effective dates.

41
42 WHEREAS, the Legislature finds and declares that the
43 state's population has increased by approximately 3 million
44 individuals each decade since 1970 to nearly 16 million
45 individuals in 2000, and

46 WHEREAS, increased populations have resulted in greater
47 density concentrations in many areas around the state and in
48 growth issues that increasingly overlap multiple local
49 government jurisdictional and state agency district boundaries,
50 and

51 WHEREAS, consequently, the Legislature determines it is in
52 the best interests of the people of the state to undertake
53 action to address these issues in two steps, and

54 WHEREAS, the Legislature will earmark certain funds in the
55 2005-2006 fiscal year to provide incentives for regional growth
56 management strategies and solutions that look beyond

57 | jurisdictional borders to solve mutual problems addressing
 58 | educational infrastructure to support existing development and
 59 | projected growth, the adequacy of transportation facilities not
 60 | adequately addressed by the Strategic Intermodal System, and
 61 | water supply and quality.

62 | WHEREAS, the Legislature will establish a standing
 63 | commission tasked with helping Floridians envision and plan
 64 | their collective future with an eye towards both 20-year and 50-
 65 | year horizons, NOW, THEREFORE,

66 |
 67 | Be It Enacted by the Legislature of the State of Florida:

68 |
 69 | Section 1. Pilot project on incentives for regional growth
 70 | management strategies and solutions.--

71 | (1) POPULAR NAME.--This section may be cited as the
 72 | "Growth Management Incentive Act of 2005."

73 | (2) INTENT.--It is the intent of this section to use
 74 | certain funds appropriated in the 2005-2006 fiscal year to
 75 | provide incentives for regional growth management strategies and
 76 | solutions that look beyond jurisdictional borders to solve
 77 | mutual problems addressing educational infrastructure to support
 78 | existing development and projected growth, the adequacy of
 79 | transportation facilities not sufficiently addressed by the
 80 | Strategic Intermodal System, and water supply and quality.

81 | (3) DEFINITIONS.--For purposes of this section, the term:

82 | (a) "Decisionmaking board" means the entity responsible
 83 | for decisions of the regional entity seeking designation of a
 84 | regional planning area.

85 (b) "Governing board" means the Regional Planning Area
 86 Governing Board.

87 (c) "Regional entity" means any multijurisdictional
 88 planning entity or entities collaborating to address
 89 multijurisdictional growth management issues.

90 (d) "Regional planning area" means one of five areas so
 91 designated by a detailed boundary description in an executive
 92 order creating such an area pursuant to this act.

93 (e) "Regional task force" means the entity designated in
 94 an executive order designating a regional planning area.

95 (f) "Statewide or regionally significant issues" means
 96 those issues that transcend jurisdictional boundaries and are
 97 most appropriately addressed, protected, and promoted at a
 98 regional level.

99 (4) REGIONAL PLANNING AREA GOVERNING BOARD.--The Regional
 100 Planning Area Governing Board is created and shall consist of
 101 the Secretary of Transportation, the Commissioner of Education,
 102 and the members of the governing board of the Florida
 103 Communities Trust, as created in s. 380.508, Florida Statutes.
 104 The Secretary of Community Affairs shall serve as the chair of
 105 the Regional Planning Area Governing Board.

106 (5) PILOT PROJECT.--The Legislature shall appropriate to
 107 the Department of Community Affairs, by earmarking as incentive
 108 funds for a pilot project, fixed capital outlay from funds in
 109 the fiscal year 2005-2006 General Appropriations Act to be used
 110 in five regional planning areas to provide incentives for
 111 regional solutions and strategies addressing statewide or
 112 regionally significant issues regarding one or more of the

113 following:

114 (a) Educational infrastructure to support existing
 115 development and projected population growth;

116 (b) The adequacy of transportation facilities not
 117 sufficiently addressed by the Strategic Intermodal System; or

118 (c) Water supply or quality.

119
 120 These incentive funds shall be awarded through a competitive
 121 process based upon a priority ranking determined by the
 122 governing board pursuant to criteria specified in this section.
 123 All communications to the governing board regarding any request
 124 under consideration shall be in writing mailed or delivered to
 125 the director of the Division of Housing and Community
 126 Development of the Department of Community Affairs for
 127 distribution to all governing board members.

128 (6) REGIONAL PLANNING AREA DESIGNATION REQUEST.--Any
 129 regional entity may apply to the Governor to have an area
 130 designated as a regional planning area by August 1, 2005. The
 131 application shall include:

132 (a) A detailed boundary description for the proposed
 133 regional planning area.

134 (b) A detailed description of the specific statewide or
 135 regionally significant issue or issues to be addressed within
 136 the proposed regional planning area. The description should
 137 include as much detail and supporting information as necessary
 138 to assist in the understanding of the issue, the issue's
 139 importance to the region or state, the issue's potential for
 140 resolution, and the likelihood of creating regional, solution-

141 based, partnerships.

142 (c) Identification of the coalition partners represented
 143 by the regional entity, with contact names and information.

144 (d) Identification of the decisionmaking board of the
 145 regional entity, including names and contact information of the
 146 board members. This information should also include
 147 qualifications and background of the board members.

148 (e) The charter purpose of the regional entity and
 149 supporting information to assist in understanding how the
 150 regional entity addresses and is involved with the statewide or
 151 regionally significant issue. A regional planning council, as
 152 created under chapter 186, Florida Statutes, shall not be
 153 required to include a charter purpose, but shall include any
 154 other information required herein.

155 (f) Identification of entities and individuals, including
 156 contact names and information, that will need to participate and
 157 coordinate in the generation of proposed regional solutions or
 158 strategies to ensure successful implementation.

159 (g) Other descriptions or information as necessary to
 160 support the request for designation.

161 (h) Any other relevant information requested by the
 162 Executive Office of the Governor during consideration of the
 163 request.

164 (7) DESIGNATION BY THE GOVERNOR.--By Executive Order, the
 165 Governor shall designate five regional planning areas by October
 166 1, 2005, giving due consideration to the equitable distribution
 167 of these areas throughout the state. Each executive order shall
 168 include the following details:

169 (a) The name and a detailed boundary description of the
 170 specific regional planning area as included in the regional
 171 entity's request.

172 (b) A detailed listing of the specific issues which are to
 173 be addressed by the regional planning area.

174 (c) Designation of the regional task force as proposed in
 175 the request for designation as the entity responsible for
 176 submitting the report and funding requests as provided in this
 177 section.

178 (8) REPORT OF THE REGIONAL PLANNING AREAS AND REQUEST TO
 179 THE GOVERNING BOARD.--

180 (a) By August 31, 2006, each regional task force of the
 181 designated regional planning areas shall deliver to the
 182 governing board a report detailing the process and results of
 183 research and other efforts relating to solutions or strategies
 184 to address or resolve the statewide or regionally significant
 185 issues designated in the Executive Order. The report delivered
 186 to the governing board shall be accompanied by all supporting
 187 materials and information that the regional task force wishes
 188 the governing board to consider in relation to the funding
 189 requests.

190 (b) The report must, in addition to the information
 191 required in paragraph (a), include:

192 1. A prioritized listing of projects for which incentive
 193 funding is being requested. Project requests for funding
 194 consideration may be bundled or requested individually and
 195 should be identified as such in the request. All projects must
 196 provide solutions or strategies to the specific statewide or

197 regionally significant issues detailed in the executive order
 198 that include:

199 a. Identification of the problem to be solved.
 200 b. A proposed solution to the problem.
 201 c. The potential cost of the solution, including
 202 identification of the matching funds. The proposed solution and
 203 cost estimates shall be financially feasible and based upon
 204 current scientific, economic, demographic, and financial
 205 information.

206 2. An action plan that lists and describes all actions
 207 necessary to implement each prioritized project.

208 3. A detailed description of how each prioritized project
 209 meets or exceeds the eligibility requirements.

210 4. A detailed description of how each prioritized project
 211 addresses each of the relevant priority ranking criteria and a
 212 detailed explanation of how or why a particular ranking
 213 criterion does not apply.

214 (9) GOVERNING BOARD REVIEW, RANKING, AND AWARD.--The
 215 governing board shall review and rank, pursuant to the criteria
 216 provided in this section, the project requests and post a notice
 217 for award of the regional planning area funds by October 15,
 218 2006. All actions of the governing board shall be by majority
 219 vote of the members.

220 (10) CONTRACTING.--All regional planning area projects
 221 approved for funding shall be under contract by January 31,
 222 2007, duly executed between the Department of Community Affairs
 223 and the regional task force of the regional entity.

224 (11) ELIGIBILITY CRITERIA.--Eligible projects shall meet

225 or exceed the following criteria which shall be described in
226 detail in the report:

227 (a) Propose a regional strategy or solution, based upon
228 current scientific, economic, demographic, and financial
229 information that includes specific actions to resolve current,
230 or prevent future, problems identified with one or more of the
231 statewide or regionally significant priority issues.

232 (b) Propose a solution or strategy that is consistent with
233 or supports the region's character and future vision.

234 (c) Provide a funding proposal that includes the
235 appropriate use of state fixed capital outlay funds pursuant to
236 chapter 216, Florida Statutes, and a match of not less than 50
237 percent from local and private funds. The funding proposal
238 should be financially feasible and include sufficient evidence
239 of available matching funds.

240 (d) Provide an achievable action plan including evidence
241 of support or commitment from participating individuals or
242 entities.

243 (12) PRIORITY RANKING CRITERIA.--An eligible regional
244 strategy or solution shall receive priority incentive funding
245 consideration by the governing board to the extent the strategy
246 or solution:

247 (a) Reduces an infrastructure backlog or provides
248 infrastructure to address one or more of the statewide or
249 regionally significant priority issues.

250 (b) Promotes efficient land use and use of existing and
251 planned infrastructure.

252 (c) Provides an opportunity to correct existing, or avoid

253 future, inefficient land use patterns.

254 (d) Provides solutions or strategies to one or more of the
 255 statewide or regionally significant priority issues in more than
 256 one jurisdiction.

257 (e) Combines solutions, strategies, and funding requests
 258 across regional boundaries.

259 (f) Provides for the implementation of amendments to
 260 affected comprehensive plans and land development regulations
 261 necessary to effectuate the project within a reasonable
 262 timeframe.

263 (g) Provides an opportunity to address or reduce the level
 264 of threat to significant natural resources resulting from growth
 265 and development pressures.

266 (h) Provides for public participation in the visioning or
 267 other processes that led up to the submittal of the report and
 268 project incentive funding requests.

269 (i) Furthers collaborative, innovative, or creative cross
 270 jurisdictional efforts to solve statewide or regionally
 271 significant issues.

272 (j) Integrates, supports, or furthers elements of the
 273 affected local or other comprehensive plan or plans.

274 (k) Provides for collaboration with relevant federal,
 275 state, regional, and local agencies.

276 (l) Minimizes stress on water resources.

277 (m) Proposes shared use of facilities.

278 (n) Uses information technology to provide for more
 279 efficient and effective data information collection, analysis,
 280 utilization, and sharing.

281 (13) REPORTING.--Following the award of all incentive
 282 funds appropriated for the pilot project, the governing board
 283 shall deliver a final report to the Governor, the President of
 284 the Senate, and the Speaker of the House of Representatives. The
 285 final report shall include a description of the process used in
 286 reviewing and ranking the proposed projects; a description of
 287 the proposals received and selected and any other information
 288 that would assist in the understanding of how this phase of the
 289 pilot program functioned; and constructive ideas or comments on
 290 how the program could be improved if continued. Additionally,
 291 the regional task force of each regional planning area shall
 292 deliver a final report to the Governor, the President of the
 293 Senate, the Speaker of the House of Representatives, and the
 294 Secretary of the Department of Community Affairs detailing the
 295 specific projects funded, their completion, challenges and
 296 successes, and any recommendations for future efforts of this
 297 type.

298 (14) ABOLITION.--The governing board is abolished and this
 299 section expires after the delivery of the report required in
 300 subsection (13).

301 Section 2. Effective July 1, 2005, the sum of \$200,000 is
 302 appropriated to the Department of Community Affairs in
 303 nonrecurring General Revenue to fund the staffing and other
 304 costs associated with the pilot project created in section 1 of
 305 this act.

306 Section 3. Section 163.3247, Florida Statutes, is created
 307 to read:

308 163.3247 Century Commission.--

309 (1) POPULAR NAME.--This section may be cited as the
310 "Century Commission Act."

311 (2) FINDINGS AND INTENT.--The Legislature finds and
312 declares that the population of this state is expected to more
313 than double over the next 100 years, with commensurate impacts
314 to the state's natural resources and public infrastructure.
315 Consequently, it is in the best interests of the people of the
316 state to ensure sound planning for the proper placement of this
317 growth and protection of the state's land, water, and other
318 natural resources since such resources are essential to our
319 collective quality of life and a strong economy. The state's
320 growth management system should foster economic stability
321 through regional solutions and strategies, urban renewal and
322 infill, and the continued viability of agricultural economies,
323 while allowing for rural economic development and protecting the
324 unique characteristics of rural areas, and should reduce the
325 complexity of the regulatory process while carrying out the
326 intent of the laws and encouraging greater citizen
327 participation.

328 (3) CENTURY COMMISSION; CREATION; ORGANIZATION.--The
329 Century Commission is created as a standing body to help the
330 citizens of this state envision and plan their collective future
331 with an eye towards both 20-year and 50-year horizons.

332 (a) The commission shall consist of nine members, three
333 appointed by the Governor, three appointed by the President of
334 the Senate, and three appointed by the Speaker of the House of
335 Representatives. Appointments shall be made no later than
336 October 1, 2005. One member shall be designated by the Governor

337 as chair of the commission. Any vacancy that occurs on the
338 commission must be filled in the same manner as the original
339 appointment and shall be for the unexpired term of that
340 commission seat. Members shall serve 4-year terms, except that,
341 initially, to provide for staggered terms, three of the
342 appointees, one each by the Governor, the President of the
343 Senate, and the Speaker of the House of Representatives, shall
344 serve 2-year terms, three shall serve 4-year terms, and three
345 shall serve 6-year terms. All subsequent appointments shall be
346 for 4-year terms. An appointee may not serve more than 6 years.

347 (b) The first meeting of the commission shall be held no
348 later than December 1, 2005, and shall meet at the call of the
349 chair but not less frequently than three times per year in
350 different regions of the state to solicit input from the public
351 or any other individuals offering testimony relevant to the
352 issues to be considered.

353 (c) Each member of the commission is entitled to one vote
354 and action of the commission is not binding unless taken by a
355 three-fifths vote of the members present. A majority of the
356 members is required to constitute a quorum, and the affirmative
357 vote of a quorum is required for a binding vote.

358 (d) Members of the commission shall serve without
359 compensation but shall be entitled to receive per diem and
360 travel expenses in accordance with s. 112.061 while in
361 performance of their duties.

362 (4) POWERS AND DUTIES.--The commission shall:

363 (a) Annually conduct a process through which the
364 commission envisions the future for the state, and then develops

365 and recommends policies, plans, action steps, or strategies to
366 assist in achieving the vision.

367 (b) Continuously review and consider statutory and
368 regulatory provisions, governmental processes, and societal and
369 economic trends in its inquiry of how state, regional, and local
370 governments and entities and citizens of this state can best
371 accommodate projected increased populations while maintaining
372 the natural, historical, cultural, and manmade life qualities
373 that best represent the state.

374 (c) Bring together people representing varied interests to
375 develop a shared image of the state and its developed and
376 natural areas. The process should involve exploring the impact
377 of the estimated population increase and other emerging trends
378 and issues; creating a vision for the future; and developing a
379 strategic action plan to achieve that vision using 20-year and
380 50-year intermediate planning timeframes.

381 (d) Focus on essential state interests, defined as those
382 interests that transcend local or regional boundaries and are
383 most appropriately conserved, protected, and promoted at the
384 state level.

385 (e) Serve as an objective, nonpartisan repository of
386 exemplary community-building ideas and as a source to recommend
387 strategies and practices to assist others in working
388 collaboratively to problem solve on issues relating to growth
389 management.

390 (f) Annually, beginning January 15, 2007, and every year
391 thereafter on the same date, provide to the Governor, the
392 President of the Senate, and the Speaker of the House of

393 Representatives a written report containing specific
 394 recommendations for addressing growth management in the state,
 395 including executive and legislative recommendations. This report
 396 shall be verbally presented to a joint session of both houses
 397 annually as scheduled by the President of the Senate and the
 398 Speaker of the House of Representatives.

399 (g) Beginning with the 2007 Regular Session of the
 400 Legislature, the President of the Senate and Speaker of the
 401 House of Representatives shall create a joint select committee,
 402 the task of which shall be to review the findings and
 403 recommendations of the Century Commission for potential action.

404 (5) EXECUTIVE DIRECTOR; STAFF AND OTHER ASSISTANCE.--

405 (a) The Secretary of Community Affairs shall select an
 406 executive director of the commission, and the executive director
 407 shall serve at the pleasure of the secretary under the
 408 supervision and control of the commission.

409 (b) The Department of Community Affairs shall provide
 410 staff and other resources necessary to accomplish the goals of
 411 the commission based upon recommendations of the Governor.

412 (c) All agencies under the control of the Governor are
 413 directed, and all other agencies are requested, to render
 414 assistance to, and cooperate with, the commission.

415 Section 4. Effective July 1, 2005, the sum of \$250,000 is
 416 appropriated from the General Revenue Fund to the Department of
 417 Community Affairs to provide the necessary staff and other
 418 assistance to the Century Commission required by s. 163.3247,
 419 Florida Statutes, as created by this act.

HB 1865

2005

420 | Section 5. Except as otherwise provided herein, this act
421 | shall take effect upon becoming a law.