

A bill to be entitled

An act relating to the Century Commission for a Sustainable Florida; amending s. 163.3247, F.S.; increasing the membership of the commission; revising provisions governing appointments to the commission by the Governor, the President of the Senate, and the Speaker of the House of Representatives; prohibiting a member of the commission from having certain interests in contracts or benefits awarded by the commission; providing for additional powers and duties of the commission; revising provisions concerning appointment and oversight of the executive director of the commission; transferring the commission to the Office of Legislative Services for administrative purposes; amending s. 201.15, F.S.; increasing the appropriation to the commission of proceeds from the excise tax on documents; providing a continuing appropriation; providing an effective date.

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

Section 1. Subsections (3), (4), and (5) of section 163.3247, Florida Statutes, are amended to read:

163.3247 Century Commission for a Sustainable Florida.--

(3) CENTURY COMMISSION FOR A SUSTAINABLE FLORIDA; CREATION; ORGANIZATION.--The Century Commission for a Sustainable Florida is created as a standing body to help the citizens of this state envision and plan their collective future with an eye towards both 25-year and 50-year horizons.

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29           (a) The commission shall consist of 18 ~~15~~ members, 6 ~~5~~  
30 appointed by the Governor, 6 ~~5~~ appointed by the President of the  
31 Senate, and 6 ~~5~~ appointed by the Speaker of the House of  
32 Representatives. ~~Appointments shall be made no later than~~  
33 ~~October 1, 2005.~~ The membership must represent local  
34 governments, school boards, developers and homebuilders, the  
35 business community, the agriculture community, the environmental  
36 community, and other appropriate stakeholders. In making the  
37 appointments, the Governor, the President of the Senate, and the  
38 Speaker of the House of Representatives shall ensure that the  
39 membership of the commission reflects the racial, ethnic, and  
40 gender diversity, as well as the geographic distribution, of the  
41 state's population. One member shall be designated by the  
42 Governor as chair of the commission. Any vacancy that occurs on  
43 the commission must be filled in the same manner as the original  
44 appointment and shall be for the unexpired term of that  
45 commission seat. Members shall be appointed to ~~serve~~ 4-year  
46 terms, ~~except that, initially, to provide for staggered terms,~~  
47 ~~the Governor, the President of the Senate, and the Speaker of~~  
48 ~~the House of Representatives shall each appoint one member to~~  
49 ~~serve a 2-year term, two members to serve 3-year terms, and two~~  
50 ~~members to serve 4-year terms. All subsequent appointments shall~~  
51 ~~be for 4-year terms.~~ An appointee may not serve more than 8 ~~6~~  
52 years.

53           (b) ~~The first meeting of the commission shall be held no~~  
54 ~~later than December 1, 2005,~~ and shall meet at the call of the  
55 chair but not less frequently than three times per year in  
56 different regions of the state to solicit input from the public

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57 | or any other individuals offering testimony relevant to the  
58 | issues to be considered.

59 | (c) Each member of the commission is entitled to one vote,  
60 | and actions of the commission are not binding unless taken by a  
61 | three-fifths vote of the members present. A majority of the  
62 | members is required to constitute a quorum, and the affirmative  
63 | vote of a quorum is required for a binding vote.

64 | (d) Members of the commission shall serve without  
65 | compensation but are ~~shall be~~ entitled to receive per diem and  
66 | travel expenses in accordance with s. 112.061 while in  
67 | performance of their duties.

68 | (e) A member of the commission may not, in the period  
69 | commencing with his or her appointment to the commission and  
70 | continuing for 2 years after termination of such appointment,  
71 | have an interest, direct or indirect, in any contract or other  
72 | benefit granted or awarded by the commission.

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

74 | (a) ~~Annually~~ Conduct a process through which the  
75 | commission envisions the future for the state and then develops  
76 | and recommends policies, plans, action steps, or strategies to  
77 | assist in achieving the vision.

78 | (b) Continuously review and consider statutory and  
79 | regulatory provisions, governmental processes, and societal and  
80 | economic trends in its inquiry of how state, regional, and local  
81 | governments and entities and citizens of this state can best  
82 | accommodate projected increased populations while maintaining  
83 | the natural, historical, cultural, and manmade life qualities  
84 | that best represent the state.

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85 (c) Bring together people representing varied interests to  
86 develop a shared image of the state and its developed and  
87 natural areas. The process should involve exploring the impact  
88 of the estimated population increase and other emerging trends  
89 and issues; creating a vision for the future; and developing a  
90 strategic action plan to achieve that vision using 25-year and  
91 50-year intermediate planning timeframes.

92 (d) Focus on essential state interests, defined as those  
93 interests that transcend local or regional boundaries and are  
94 most appropriately conserved, protected, and promoted at the  
95 state level.

96 (e) Serve as an objective, nonpartisan repository of  
97 exemplary community-building ideas and as a source to recommend  
98 strategies and practices to assist others in working  
99 collaboratively to problem solve on issues relating to growth  
100 management.

101 (f) Annually, on ~~beginning~~ January 16, 2007, ~~and every~~  
102 ~~year thereafter on the same date~~, provide to the Governor, the  
103 President of the Senate, and the Speaker of the House of  
104 Representatives a written report containing specific  
105 recommendations for addressing growth management in the state,  
106 including executive and legislative recommendations. Further,  
107 the report must ~~shall~~ contain discussions regarding the need for  
108 intergovernmental cooperation and the balancing of environmental  
109 protection and future development and recommendations on issues,  
110 including, but not limited to, recommendations regarding  
111 dedicated sources of funding for sewer facilities, water supply  
112 and quality, transportation facilities that are not adequately

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113 addressed by the Strategic Intermodal System, and educational  
 114 infrastructure to support existing development and projected  
 115 population growth.

116 (g) Create and dissolve advisory committees or similar  
 117 organizations as necessary in order to carry out the mission of  
 118 the commission.

119 (h) Enter into contracts to receive and accept grants and  
 120 contributions from any source, which shall be used to further  
 121 the mission of the commission.

122 (i) Prepare and submit a budget under chapter 216.

123 ~~(g)~~

124

125 Beginning with the 2007 Regular Session of the Legislature, the  
 126 President of the Senate and the Speaker of the House of  
 127 Representatives shall create a joint select committee, the task  
 128 of which shall be to review the findings and recommendations of  
 129 the Century Commission for a Sustainable Florida for potential  
 130 action.

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

132 (a) The commission shall appoint an executive director who  
 133 shall serve under the direction, supervision, and control of the  
 134 commission. The commission shall have complete authority for  
 135 fixing the salary of the executive director. The commission is  
 136 assigned to the Office of Legislative Services for purposes of  
 137 administration and fiscal accountability, but the commission  
 138 shall otherwise function independently. The executive director,  
 139 with the consent of the commission and within budgetary  
 140 limitations, shall employ staff as necessary to adequately

141 perform the functions of the commission. ~~The Secretary of~~  
 142 ~~Community Affairs shall select an executive director of the~~  
 143 ~~commission, and the executive director shall serve at the~~  
 144 ~~pleasure of the secretary under the supervision and control of~~  
 145 ~~the commission.~~

146 (b) The Office of Legislative Services ~~Department of~~  
 147 ~~Community Affairs~~ shall provide staff and other resources  
 148 necessary to accomplish the goals of the commission based upon  
 149 recommendations of the Legislature ~~Governor~~.

150 (c) All agencies ~~under the control of the Governor are~~  
 151 ~~directed, and all other agencies are requested,~~ to render  
 152 assistance to, and cooperate with, the commission.

153 Section 2. The three additional appointments to the  
 154 Century Commission for a Sustainable Florida required by section  
 155 1 of this act shall be made by October 1, 2007.

156 Section 3. Paragraph (d) of subsection (1) of section  
 157 201.15, Florida Statutes, as amended by section 22 of chapter  
 158 2006-1, section 2 of chapter 2006-185, and section 2 of chapter  
 159 2006-231, Laws of Florida, is amended to read:

160 201.15 Distribution of taxes collected.--All taxes  
 161 collected under this chapter shall be distributed as follows and  
 162 shall be subject to the service charge imposed in s. 215.20(1),  
 163 except that such service charge shall not be levied against any  
 164 portion of taxes pledged to debt service on bonds to the extent  
 165 that the amount of the service charge is required to pay any  
 166 amounts relating to the bonds:

167 (1) Sixty-two and sixty-three hundredths percent of the  
 168 remaining taxes collected under this chapter shall be used for

169 the following purposes:

170 (d) The remainder of the moneys distributed under this  
 171 subsection, after the required payments under paragraphs (a),  
 172 (b), and (c), shall be paid into the State Treasury to the  
 173 credit of:

174 1. The State Transportation Trust Fund in the Department  
 175 of Transportation in the amount of \$541.75 million in each  
 176 fiscal year, to be paid in quarterly installments and used for  
 177 the following specified purposes, notwithstanding any other law  
 178 to the contrary:

179 a. For the purposes of capital funding for the New Starts  
 180 Transit Program, authorized by Title 49, U.S.C. s. 5309 and  
 181 specified in s. 341.051, 10 percent of these funds;

182 b. For the purposes of the Small County Outreach Program  
 183 specified in s. 339.2818, 5 percent of these funds;

184 c. For the purposes of the Strategic Intermodal System  
 185 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent  
 186 of these funds after allocating for the New Starts Transit  
 187 Program described in sub-subparagraph a. and the Small County  
 188 Outreach Program described in sub-subparagraph b.; and

189 d. For the purposes of the Transportation Regional  
 190 Incentive Program specified in s. 339.2819, 25 percent of these  
 191 funds after allocating for the New Starts Transit Program  
 192 described in sub-subparagraph a. and the Small County Outreach  
 193 Program described in sub-subparagraph b.

194 2. The Water Protection and Sustainability Program Trust  
 195 Fund in the Department of Environmental Protection in the amount  
 196 of \$100 million in each fiscal year, to be paid in quarterly

197 installments and used as required by s. 403.890.

198         3. The Public Education Capital Outlay and Debt Service  
 199 Trust Fund in the Department of Education in the amount of \$105  
 200 million in each fiscal year, to be paid in monthly installments  
 201 with \$75 million used to fund the Classrooms for Kids Program  
 202 created in s. 1013.735, and \$30 million to be used to fund the  
 203 High Growth County District Capital Outlay Assistance Grant  
 204 Program created in s. 1013.738. If required, new facilities  
 205 constructed under the Classrooms for Kids Program must meet the  
 206 requirements of s. 1013.372.

207         4. The Grants and Donations Trust Fund in the Department  
 208 of Community Affairs in the amount of \$3.55 ~~\$3.25~~ million in  
 209 each fiscal year to be paid in monthly installments, with \$3  
 210 million to be used to fund technical assistance to local  
 211 governments and school boards on the requirements and  
 212 implementation of this act and \$550,000 ~~\$250,000~~ to be used to  
 213 fund the Century Commission established in s. 163.3247.

214  
 215 Moneys distributed pursuant to this paragraph may not be pledged  
 216 for debt service unless such pledge is approved by referendum of  
 217 the voters.

218         Section 4. The sum of \$300,000 in recurring funds is  
 219 appropriated to the Century Commission for a Sustainable Florida  
 220 for the purpose of paying salaries and other administrative  
 221 expenses of the commission which are necessary to carry out the  
 222 provisions of s. 163.3247, Florida Statutes, as amended by this  
 223 act, during the 2007-2008 fiscal year.

224         Section 5. This act shall take effect July 1, 2007.