

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Attkisson offered the following:

2  
3 **Amendment (with directory and title amendments)**

4 On page 1, line(s) 24-25, insert:

5 Section 2. Subsection (26) of section 334.044, Florida  
6 Statutes, is amended to read:

7 334.044 Department; powers and duties.--The department  
8 shall have the following general powers and duties:

9 (26) To provide for the conservation of natural roadside  
10 growth and scenery and for the implementation and maintenance of  
11 roadside beautification programs. ~~To accomplish this, for fiscal~~  
12 ~~years 1999-2000, 2000-2001, and 2001-2002 no less than 1~~  
13 ~~percent, and for subsequent fiscal years no less than 1.5~~  
14 percent of the amount contracted for construction projects shall  
15 be allocated by the department to beautification programs.

16 Except where prohibited by federal law or federal regulation and  
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17 to the extent practical, a minimum of 50 percent of these funds  
18 shall be used to purchase large plant materials, with the  
19 remaining funds to be used for the purchase of other plant  
20 ~~materials and these materials shall be purchased~~ from Florida-  
21 based nurseries of commercially grown nursery nurseryman stock  
22 on a uniform competitive bid basis, pursuant to which project-  
23 specified landscaping contracts awarded directly by the  
24 department on a project-specific basis in compliance with the  
25 terms and conditions of competitive solicitation as set forth in  
26 chapter 287. The cost of the program shall be paid by vendors.  
27 The department will develop grades and standards for landscaping  
28 materials purchased through this process. To accomplish these  
29 activities, the department may contract with nonprofit  
30 organizations having the primary purpose of developing youth  
31 employment opportunities.

32 Section 3. Subsection (1) of section 338.235, Florida  
33 Statutes, is amended, and subsection (5) is added to that  
34 section, to read:

35 338.235 Contracts with department for provision of  
36 services on the turnpike system.--

37 (1) Except as specified in subsection (5), the department  
38 is empowered to contract with any person for the purpose of  
39 providing a service on the turnpike system, including those  
40 services authorized in s. 338.234, which the department  
41 determines is necessary or desirable, and to review and adjust  
42 as appropriate the terms, conditions, rates, and charges for  
43 use.

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44       (5) The department and the Florida Turnpike Enterprise  
45 shall not under any circumstances contract with any vendors for  
46 the retail sale of fuel along the Florida Turnpike if such  
47 contract is negotiated or bid together with any other contract,  
48 including, but not limited to, the retail sale of food,  
49 maintenance services or construction, with the exception that  
50 any contract of the retail sale of fuel along the Florida  
51 Turnpike shall be bid and contracted together with the retail  
52 sale of food at any convenience store attached to the fuel  
53 station.

54  
55 ===== T I T L E   A M E N D M E N T =====  
56       On page 1, line 6, remove said line and insert:  
57  
58 solicitation; amending s. 334.044, F.S.; providing for  
59 competitive bidding of plant material purchases pursuant to  
60 chapter 287, F.S.; deleting obsolete language; amending s.  
61 338.235, F.S.; prohibiting the department and the Turnpike  
62 Enterprise from contracting with vendors for the retail sale of  
63 fuel as part of a more comprehensive contract except in certain  
64 circumstances; providing an effective date.