

Bill No. CS for CS for CS for SB 2804

Barcode 021630

CHAMBER ACTION

Senate

House

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Comm: WD
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The Committee on Transportation and Economic Development
Appropriations (Margolis) recommended the following amendment:

Senate Amendment (with title amendment)

On page 16, between lines 19 and 20,

insert:

Section 10. Paragraphs (c) and (d) of subsection (7)
of section 339.135, Florida Statutes, are amended to read:

339.135 Work program; legislative budget request;
definitions; preparation, adoption, execution, and
amendment.--

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.--

(c) The department may amend the adopted work program
to transfer fixed capital outlay appropriations for projects
within the same appropriations category or between
appropriations categories, including the following amendments
which shall be subject to the procedures in paragraph (d):

1. Any amendment that ~~which~~ deletes any project or
project phase;

2. Any amendment that ~~which~~ adds a project estimated

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1 to cost over \$150,000 in funds appropriated by the
2 Legislature;

3 3. Any amendment that ~~which~~ advances or defers to
4 another fiscal year, a right-of-way phase, a construction
5 phase, or a public transportation project phase estimated to
6 cost over \$500,000 in funds appropriated by the Legislature,
7 except an amendment advancing or deferring a phase for a
8 period of 90 days or less; or

9 4. Any amendment that ~~which~~ advances or defers to
10 another fiscal year, any preliminary engineering phase or
11 design phase estimated to cost over \$150,000 in funds
12 appropriated by the Legislature, except an amendment advancing
13 or deferring a phase for a period of 90 days or less.

14 (d)1. Whenever the department proposes any amendment
15 to the adopted work program, which amendment is defined in
16 subparagraph (c)1., subparagraph (c)2., subparagraph (c)3., or
17 subparagraph (c)4., it shall submit the proposed amendment to
18 the Governor for approval and shall immediately notify the
19 chairs of the legislative appropriations committees, the
20 chairs of the legislative transportation committees, each
21 member of the Legislature who represents a district affected
22 by the proposed amendment, each metropolitan planning
23 organization affected by the proposed amendment, and each unit
24 of local government affected by the proposed amendment. Such
25 proposed amendment shall provide a complete justification of
26 the need for the proposed amendment.

27 2.a. Whenever the department proposes any amendment to
28 the adopted work program, as defined in subparagraph(c)1.,
29 subparagraph (c)2., subparagraph (c)3., or subparagraph (c)4.,
30 to a project or project phase scheduled within the first 3
31 years of the work program which would have the effect of

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1 deleting or delaying programmed improvements in
2 traffic-carrying capacity, as typically measured by a local
3 government's concurrency management system, it shall notify
4 each local government and each metropolitan planning
5 organization affected by the amendment. The notification must
6 be sent by certified mail or return receipt requested
7 electronic mail to the chief elected official of each local
8 government and metropolitan planning organization. Each
9 affected local government shall have 14 days to provide
10 written comments to the department regarding how the amendment
11 will affect its respective concurrency management system,
12 including whether any development permits were issued
13 contingent upon the capacity improvement of the subject
14 amendment, if applicable.

15 b. After the department's receipt of written comments
16 from the affected local governments, the department shall
17 submit the proposed amendment to the Governor for approval and
18 shall immediately notify the chairs of the legislative
19 appropriations committees, the chairs of the legislative
20 transportation committees, each member of the Legislature who
21 represents a district affected by the proposed amendment, each
22 metropolitan planning organization affected by the proposed
23 amendment, and each organization affected by the proposed
24 amendment, and each unit of local government affected by the
25 proposed amendment. Such proposed amendment shall provide a
26 complete justification of the need for the proposed amendment
27 and include any written comments submitted by the affected
28 local governments.

29 ~~3.2.~~ The Governor shall not approve a proposed
30 amendment until 14 days following the notification required in
31 subparagraph 1.

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1 ~~4.3.~~ If either of the chairs of the legislative
2 appropriations committees or the President of the Senate or
3 the Speaker of the House of Representatives objects in writing
4 to a proposed amendment within 14 days following notification
5 and specifies the reasons for such objection, the Governor
6 shall disapprove the proposed amendment.

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8 (Redesignate subsequent sections.)

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11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 On page 2, line 19, after the semicolon,

14

15 insert:

16 amending s. 339.135, F.S.; requiring the
17 department to notify certain officials of
18 certain proposed amendments to its adopted work
19 program; providing for comments from the
20 government entities that would be affected by
21 an amendment; providing procedures for approval
22 of an amendment;

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