

Bill No. SB 2804

Barcode 673716

CHAMBER ACTION

Senate

House

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The Committee on Transportation (Baker) recommended the following amendment:

Senate Amendment (with title amendment)

On page 14, line 10, through
page 17, line 3, delete those lines

and insert:

Section 11. Construction aggregate materials.--

(1) DEFINITIONS.--

(a) "Agency" means:

1. The Governor in the exercise of all executive powers other than those derived from the constitution.

2. Each:

a. State officer and state department, and each departmental unit described in s. 20.04, Florida Statutes.

b. Authority, including a regional water supply authority.

c. Board.

d. Commission, including the Commission on Ethics and the Fish and Wildlife Conservation Commission when acting

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1 pursuant to statutory authority derived from the Legislature.

2 e. Regional planning agency, including, but not
3 limited to, a regional planning council.

4 f. Multicounty special district of which a majority of
5 its governing board is comprised of nonelected persons.

6 g. Educational unit.

7 h. Entity described in chapters 163, 373, 380, and
8 582, Florida Statutes, and s. 186.504, Florida Statutes.

9 3. Each other unit of government in the state,
10 including counties and municipalities.

11 (b) "Construction aggregate materials" means crushed
12 stone, limestone, dolomite, limerock, shell rock, high-quality
13 sand, and other mined resources providing the basic material
14 for concrete, asphalt, and road base.

15 (2) LEGISLATIVE INTENT.--The Legislature finds that
16 there is a strategic and critical need for an available supply
17 of construction aggregate materials within the state and
18 disruption of the supply would cause significant detriment to
19 the state's construction industry, transportation system, and
20 overall health, safety, and welfare.

21 (3) AGENCY DECISIONMAKING.--No agency shall approve or
22 deny a proposed land use zoning change, comprehensive plan
23 amendment, land use permit, ordinance, or order without
24 considering, in consultation with the Department of
25 Transportation, the effect such change, amendment, permit
26 decision, ordinance, or order would have on the availability,
27 transportation, and potential extraction of construction
28 aggregate materials on the local area, the region, and the
29 state. No agency may impose a moratorium on the mining or
30 extraction of construction aggregate materials of more than 6
31 months' duration.

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1 (4) STRATEGIC AGGREGATES REVIEW TASK FORCE.--

2 (a) The Strategic Aggregates Review Task Force is
3 created to evaluate the availability and disposition of
4 construction aggregate materials and related mining and land
5 use practices in this state.

6 (b) The task force shall be appointed by August 1,
7 2007, and shall be composed of the following 16 members:

8 1. The President of the Senate, the Speaker of the
9 House of Representatives, and the Governor shall each appoint
10 one member from each of the following groups:

11 a. The mining or construction industries.

12 b. The transportation industries, including seaports,
13 trucking, railroads, or roadbuilders.

14 c. Elected officials from affected county government.

15 d. Environmental advocacy groups.

16 2. The Secretary of Environmental Protection or
17 designee.

18 3. The Secretary of Community Affairs or designee.

19 4. The Secretary of Transportation or designee.

20 5. One member appointed by the Florida League of
21 Cities, Inc.

22 (c) Members of the commission shall serve without
23 compensation. Travel and per diem expenses for members who are
24 not state employees shall be paid by the Department of
25 Transportation in accordance with s. 112.061, Florida
26 Statutes.

27 (d) The Department of Environmental Protection shall
28 organize and provide administrative support for the task force
29 and coordinate with other state agencies and local governments
30 in obtaining and providing such data and information as may be
31 needed by the task force to complete its evaluation. The

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1 department may conduct any supporting studies as are required
2 to obtain needed information or otherwise assist the task
3 force in its review and deliberations.

4 (e) The Department of Transportation shall collect and
5 provide information to the task force relating to construction
6 aggregate materials and the amount of such materials used by
7 the department on state road infrastructure projects, and
8 shall provide any technical and supporting information
9 relating to the use of such materials as is available to the
10 department.

11 (f) The task force shall report its findings to the
12 Governor, the President of the Senate, and the Speaker of the
13 House of Representatives by February 1, 2008. The report must
14 identify locations with significant concentrations of
15 construction aggregate materials and recommend actions
16 intended to ensure the continued extraction and availability
17 of construction aggregate materials.

18 (g) The task force shall be dissolved on July 1, 2008.
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21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 On page 2, lines 26-29, delete those lines
24

25 and insert:

26 reporting, and expiration; prohibiting an
27 agency from approving or denying a land use
28 zoning change, comprehensive plan amendment,
29 land use permit, ordinance, or order without
30 consulting with the Department of
31 Transportation and considering the effect of

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1 such decision; prohibiting an agency from
2 imposing a moratorium on the mining or
3 extraction of construction aggregate materials
4 of longer than a specified period; providing an
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