

Bill No. CS for CS for SB 2804

Barcode 691010

CHAMBER ACTION

Senate

House

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The Committee on Environmental Preservation and Conservation
(Dockery) recommended the following amendment:

Senate Amendment (with title amendment)

On page 21, line 24, through
page 25, line 2, delete those lines

and insert:

(1) DEFINITIONS.--As used in this section, the term
"construction aggregate materials" means crushed stone,
limestone, dolomite, limerock, shell rock, cemented coquina,
sand for use as a component of mortars, concrete, bituminous
mixtures, or underdrain filters, and other mined resources
providing the basic material for concrete, asphalt, and road
base.

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

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1 (3) LOCAL GOVERNMENT DECISIONMAKING.--No local
2 government shall approve or deny a proposed land use zoning
3 change, comprehensive plan amendment, land use permit,
4 ordinance, or order regarding construction aggregate materials
5 without considering all information provided by the Department
6 of Transportation regarding the effect such change, amendment,
7 permit decision, ordinance, or order would have on the
8 availability, transportation, and potential extraction of
9 construction aggregate materials on the local area, the
10 region, and the state. The failure of the Department of
11 Transportation to provide this information shall not be a
12 basis for the delay or invalidation of the local government
13 action. No local government may impose a moratorium on the
14 mining or extraction of construction aggregate materials which
15 lasts more than 12 months, commencing on the date on which the
16 vote to impose the moratorium was taken. January 1, 2007,
17 shall serve as the commencement of the 12-month period for
18 moratoria already in place as of July 1, 2007 .

19 (4) EXPEDITED PERMITTING.--Due to the state's critical
20 infrastructure needs and the potential shortfall in available
21 construction aggregate materials, limerock environmental
22 resource permitting and reclamation applications filed after
23 March 1, 2007, are eligible for the expedited permitting
24 processes contained in s. 403.973, Florida Statutes.
25 Challenges to state agency action in the expedited permitting
26 process for establishment of a limerock mine in this state
27 under s. 403.973, Florida Statutes, are subject to the same
28 requirements as challenges brought under s. 403.973(15)(a),
29 Florida Statutes, except that, notwithstanding s. 120.574,
30 Florida Statutes, summary proceedings must be conducted within
31 30 days after a party files the motion for summary hearing,

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1 regardless of whether the parties agree to the summary
2 proceeding.

3 (5) STRATEGIC AGGREGATES REVIEW TASK FORCE.--

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

8 (b) The task force shall be appointed by August 1,
9 2007, and shall be composed of the following 19 members:

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

13 a. The mining industry.

14 b. The construction industry.

15 c. The transportation industries, including seaports,
16 trucking, railroads, or roadbuilders.

17 d. Elected officials representing counties identified
18 by the Department of Transportation as limestone or sand
19 resource areas. Rural, mid-size, and urban counties shall each
20 have one elected official on the task force.

21 e. Environmental advocacy groups.

22 2. The Secretary of Environmental Protection or
23 designee.

24 3. The Secretary of Community Affairs or designee.

25 4. The Secretary of Transportation or designee.

26 5. One member appointed by the Florida League of
27 Cities, Inc.

28 (c) Members of the commission shall serve without
29 compensation. Travel and per diem expenses for members who are
30 not state employees shall be paid by the Department of
31 Transportation in accordance with s. 112.061, Florida

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1 Statutes.

2 (d) The Department of Transportation shall organize
3 and provide administrative support for the task force and
4 coordinate with other state agencies and local governments in
5 obtaining and providing such data and information as may be
6 needed by the task force to complete its evaluation. The
7 department may conduct any supporting studies as are required
8 to obtain needed information or otherwise assist the task
9 force in its review and deliberations.

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

13 And the title is amended as follows:

14 On page 3, lines 4-12, delete those lines

15

16 and insert:

17 performance enhancements; defining the term
18 "construction aggregate materials"; providing
19 legislative intent; prohibiting a local
20 government from approving or denying a land use
21 zoning change, comprehensive plan amendment,
22 land use permit, ordinance, or order without
23 consulting with the Department of
24 Transportation and considering the effect of
25 such decision; prohibiting a local government
26 from

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