

Bill No. SB 318

Barcode 341032

CHAMBER ACTION

Senate

House

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The Committee on Community Affairs (Wise) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

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 corporate ~~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.

(a) The commission shall consist of 18 ~~15~~ members, 6 ~~5~~ appointed by the Governor, 6 ~~5~~ appointed by the President of the Senate, and 6 ~~5~~ appointed by the Speaker of the House of Representatives. ~~Appointments shall be made no later than~~

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1 ~~October 1, 2005.~~ The membership must represent local  
2 governments, school boards, developers and homebuilders, the  
3 business community, the agriculture community, the  
4 environmental community, and other appropriate stakeholders.  
5 In making the appointments, the Governor, the President of the  
6 Senate, and the Speaker of the House of Representatives shall  
7 ensure that the membership of the commission reflects the  
8 racial, ethnic, and gender diversity, as well as the  
9 geographic distribution, of the state's population. One member  
10 shall be designated by the Governor as chair of the  
11 commission. Any vacancy that occurs on the commission must be  
12 filled in the same manner as the original appointment and  
13 shall be for the unexpired term of that commission seat.  
14 Members shall be appointed to ~~serve 4-year terms, except that,~~  
15 ~~initially, to provide for staggered terms, the Governor, the~~  
16 ~~President of the Senate, and the Speaker of the House of~~  
17 ~~Representatives shall each appoint one member to serve a~~  
18 ~~2-year term, two members to serve 3-year terms, and two~~  
19 ~~members to serve 4-year terms.~~ All subsequent appointments  
20 ~~shall be for 4-year terms.~~ An appointee may not serve more  
21 than 8 ~~6~~ years.

22 (b) The ~~first meeting of the commission shall be held~~  
23 ~~no later than December 1, 2005,~~ and shall meet at the call of  
24 the chair but not less frequently than three times per year in  
25 different regions of the state to solicit input from the  
26 public or any other individuals offering testimony relevant to  
27 the issues to be considered.

28 (c) Each member of the commission is entitled to one  
29 vote, and actions of the commission are not binding unless  
30 taken by a three-fifths vote of the members present. A  
31 majority of the members is required to constitute a quorum,

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1 and the affirmative vote of a quorum is required for a binding  
2 vote.

3 (d) Members of the commission shall serve without  
4 compensation but are ~~shall be~~ entitled to receive per diem and  
5 travel expenses in accordance with s. 112.061 while in  
6 performance of their duties.

7 (e) A member of the commission may not, in the period  
8 commencing with his or her appointment to the commission and  
9 continuing for 2 years after termination of such appointment,  
10 have an interest, direct or indirect, in any contract or other  
11 benefit granted or awarded by the commission.

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

13 (a) ~~Annually~~ Conduct a process through which the  
14 commission envisions the future for the state and then  
15 develops and recommends policies, plans, action steps, or  
16 strategies to assist in achieving the vision.

17 (b) Continuously review and consider statutory and  
18 regulatory provisions, governmental processes, and societal  
19 and economic trends in its inquiry of how state, regional, and  
20 local governments and entities and citizens of this state can  
21 best accommodate projected increased populations while  
22 maintaining the natural, historical, cultural, and manmade  
23 life qualities that best represent the state.

24 (c) Bring together people representing varied  
25 interests to develop a shared image of the state and its  
26 developed and natural areas. The process should involve  
27 exploring the impact of the estimated population increase and  
28 other emerging trends and issues; creating a vision for the  
29 future; and developing a strategic action plan to achieve that  
30 vision using 25-year and 50-year intermediate planning  
31 timeframes.

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1           (d) Focus on essential state interests, defined as  
 2 those interests that transcend local or regional boundaries  
 3 and are most appropriately conserved, protected, and promoted  
 4 at the state level.

5           (e) Serve as an objective, nonpartisan repository of  
 6 exemplary community-building ideas and as a source to  
 7 recommend strategies and practices to assist others in working  
 8 collaboratively to problem solve on issues relating to growth  
 9 management.

10           (f) Annually, on ~~beginning~~ January 16, ~~2007, and every~~  
 11 ~~year thereafter on the same date~~, provide to the Governor, the  
 12 President of the Senate, and the Speaker of the House of  
 13 Representatives a written report containing specific  
 14 recommendations for addressing growth management in the state,  
 15 including executive and legislative recommendations. Further,  
 16 the report must ~~shall~~ contain discussions regarding the need  
 17 for intergovernmental cooperation and the balancing of  
 18 environmental protection and future development and  
 19 recommendations on issues, including, but not limited to,  
 20 recommendations regarding dedicated sources of funding for  
 21 sewer facilities, water supply and quality, transportation  
 22 facilities that are not adequately addressed by the Strategic  
 23 Intermodal System, and educational infrastructure to support  
 24 existing development and projected population growth.

25           (g) Create and dissolve advisory committees or similar  
 26 organizations as necessary in order to carry out the mission  
 27 of the commission.

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

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

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~~(g)~~

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

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

(a) The commission shall appoint an executive director who shall serve under the direction, supervision, and control of the commission. The commission shall have complete authority for fixing the salary of the executive director. The commission is assigned to the Office of Legislative Services for purposes of administration and fiscal accountability, but the commission shall otherwise function independently. The executive director, with the consent of the commission and within budgetary limitations, shall employ staff as necessary to adequately perform the functions of the commission. The Secretary of Community Affairs shall select an executive director of the commission, and the executive director shall serve at the pleasure of the secretary under the supervision and control of the commission.

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

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

Section 2. The three additional appointments to the

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1 Century Commission for a Sustainable Florida required by  
2 section 1 of this act shall be made by October 1, 2007.

3           Section 3. Paragraph (d) of subsection (1) of section  
4 201.15, Florida Statutes, as amended by section 22 of chapter  
5 2006-1, section 2 of chapter 2006-185, and section 2 of  
6 chapter 2006-231, Laws of Florida, is amended to read:

7           201.15 Distribution of taxes collected.--All taxes  
8 collected under this chapter shall be distributed as follows  
9 and shall be subject to the service charge imposed in s.  
10 215.20(1), except that such service charge shall not be levied  
11 against any portion of taxes pledged to debt service on bonds  
12 to the extent that the amount of the service charge is  
13 required to pay any amounts relating to the bonds:

14           (1) Sixty-two and sixty-three hundredths percent of  
15 the remaining taxes collected under this chapter shall be used  
16 for the following purposes:

17           (d) The remainder of the moneys distributed under this  
18 subsection, after the required payments under paragraphs (a),  
19 (b), and (c), shall be paid into the State Treasury to the  
20 credit of:

21           1. The State Transportation Trust Fund in the  
22 Department of Transportation in the amount of \$541.75 million  
23 in each fiscal year, to be paid in quarterly installments and  
24 used for the following specified purposes, notwithstanding any  
25 other law to the contrary:

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

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

31           c. For the purposes of the Strategic Intermodal System

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1 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75  
 2 percent of these funds after allocating for the New Starts  
 3 Transit Program described in sub-subparagraph a. and the Small  
 4 County Outreach Program described in sub-subparagraph b.; and  
 5 d. For the purposes of the Transportation Regional  
 6 Incentive Program specified in s. 339.2819, 25 percent of  
 7 these funds after allocating for the New Starts Transit  
 8 Program described in sub-subparagraph a. and the Small County  
 9 Outreach Program described in sub-subparagraph b.

10 2. The Water Protection and Sustainability Program  
 11 Trust Fund in the Department of Environmental Protection in  
 12 the amount of \$100 million in each fiscal year, to be paid in  
 13 quarterly installments and used as required by s. 403.890.

14 3. The Public Education Capital Outlay and Debt  
 15 Service Trust Fund in the Department of Education in the  
 16 amount of \$105 million in each fiscal year, to be paid in  
 17 monthly installments with \$75 million used to fund the  
 18 Classrooms for Kids Program created in s. 1013.735, and \$30  
 19 million to be used to fund the High Growth County District  
 20 Capital Outlay Assistance Grant Program created in s.  
 21 1013.738. If required, new facilities constructed under the  
 22 Classrooms for Kids Program must meet the requirements of s.  
 23 1013.372.

24 4. The Grants and Donations Trust Fund in the  
 25 Department of Community Affairs in the amount of \$3.25 million  
 26 in each fiscal year to be paid in monthly installments, with  
 27 \$3 million to be used to fund technical assistance to local  
 28 governments and school boards on the requirements and  
 29 implementation of this act and \$550,000 ~~\$250,000~~ to be used to  
 30 fund the Century Commission established in s. 163.3247.

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1 Moneys distributed pursuant to this paragraph may not be  
2 pledged for debt service unless such pledge is approved by  
3 referendum of the voters.

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

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

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

14 And the title is amended as follows:

15 Delete everything before the enacting clause

16  
17 and insert:

18 A bill to be entitled  
19 An act relating to the Century Commission for a  
20 Sustainable Florida; amending s. 163.3247,  
21 F.S.; increasing the membership of the  
22 commission; revising provisions governing  
23 appointments to the commission by the Governor,  
24 the President of the Senate, and the Speaker of  
25 the House of Representatives; prohibiting a  
26 member of the commission from having certain  
27 interests in contracts or benefits awarded by  
28 the commission; providing for additional powers  
29 and duties of the commission; revising  
30 provisions concerning appointment and oversight  
31 of the executive director of the commission;



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1 transferring the commission to the Office of  
2 Legislative Services for administrative  
3 purposes; amending s. 201.15, F.S.; increasing  
4 the appropriation to the commission of proceeds  
5 from the excise tax on documents; providing a  
6 continuing appropriation; providing an  
7 effective date.

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