

By the Committees on Governmental Operations; Community Affairs; and Senator Bennett

585-2175-07

1   A bill to be entitled

2           An act relating to the Joint Legislative

3           Committee for a Sustainable Florida; creating

4           s. 11.74, F.S.; creating the Joint Legislative

5           Committee for a Sustainable Florida; requiring

6           the Governor, the President of the Senate, and

7           the Speaker of the House of Representatives to

8           appoint the members of the committee; providing

9           for a chairperson of the committee and terms of

10          office; providing for meetings and a quorum;

11          authorizing reimbursement of members for per

12          diem and travel expenses; prohibiting a member

13          of the committee from having certain interests

14          in contracts or benefits awarded by the

15          committee; providing for additional powers and

16          duties of the committee; providing for the

17          appointment and oversight of the executive

18          director of the committee; providing for the

19          committee to be located within the Office of

20          Legislative Services for administrative

21          purposes; amending s. 201.15, F.S.; revising

22          the amount of an appropriation to local

23          governments and school districts of proceeds

24          from the excise tax on documents; deleting an

25          appropriation of such funds to the Century

26          Commission; repealing s. 163.3247, F.S.,

27          relating to the Century Commission for a

28          Sustainable Florida; providing an appropriation

29          to the committee; providing an effective date.

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31 Be It Enacted by the Legislature of the State of Florida:

1           Section 1. Section 11.74, Florida Statutes, is created  
2 to read:

3           11.74 Joint Legislative Committee for a Sustainable  
4 Florida.--

5           (1) The Joint Legislative Committee for a Sustainable  
6 Florida is created for the purpose of helping the residents of  
7 this state envision and plan their collective future with an  
8 eye towards both 25-year and 50-year horizons.

9           (a) The committee shall consist of 18 members, 6  
10 members appointed by the Governor, 6 members appointed by the  
11 President of the Senate, one of whom may be a Senator, and 6  
12 members appointed by the Speaker of the House of  
13 Representatives, one of whom may be a member of the House of  
14 Representatives. The membership must represent local  
15 governments, school boards, developers and home builders, the  
16 business community, the agriculture community, the  
17 environmental community, and other appropriate stakeholders.  
18 In making the appointments, the President of the Senate and  
19 the Speaker of the House of Representatives shall ensure that  
20 the membership of the committee reflects the racial, ethnic,  
21 and gender diversity, as well as the geographic distribution,  
22 of the state's population. The President of the Senate and the  
23 Speaker of the House of Representatives shall give the  
24 greatest consideration possible to the appointment of members  
25 of the Century Commission to the committee. One member shall  
26 be elected as the chairperson of the committee. Any vacancy  
27 that occurs on the committee shall be filled in the same  
28 manner as the original appointment and shall be for the  
29 unexpired term of that committee seat. Members shall be  
30 appointed to 4-year terms. An appointee may not serve more  
31 than 8 years.

1           (b) The committee shall meet at the call of the  
2 chairperson but not less frequently than three times per year  
3 in order to solicit input from the public or any other  
4 individuals offering testimony relevant to the issues to be  
5 considered.

6           (c) Each member of the committee is entitled to one  
7 vote, and actions of the committee are not binding unless  
8 taken by a three-fifths vote of the members present. A  
9 majority of the members is required to constitute a quorum,  
10 and the affirmative vote of a quorum is required for a binding  
11 vote.

12           (d) Members of the committee shall serve without  
13 compensation, but are entitled to receive reimbursement for  
14 per diem and travel expenses in accordance with s. 112.061  
15 while performing their duties.

16           (e) A member of the committee may not, in the period  
17 commencing with his or her appointment to the committee and  
18 continuing for 2 years after termination of such appointment,  
19 have an interest, direct or indirect, in any contract or other  
20 benefit granted or awarded by the committee.

21           (2) The committee shall:

22           (a) Conduct a process through which the committee  
23 envisions the future for the state and then develops and  
24 recommends policies, plans, action steps, or strategies to  
25 assist in achieving the vision.

26           (b) Continuously review and consider statutory and  
27 regulatory provisions, governmental processes, and societal  
28 and economic trends in its inquiry of how state, regional, and  
29 local governments and entities and residents of this state can  
30 best accommodate projected increases in the population while  
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1 maintaining the natural, historical, cultural, and manmade  
2 life qualities that best represent the state.

3 (c) Bring together people representing varied  
4 interests in order to develop a shared image of the state and  
5 its developed and natural areas. The process should involve  
6 exploring the effects of increases in the estimated population  
7 and other emerging trends and issues, creating a vision for  
8 the future, and developing a strategic action plan to achieve  
9 that vision using 25-year and 50-year intermediate planning  
10 timeframes.

11 (d) Focus on essential state interests, which are  
12 those interests that transcend local or regional boundaries  
13 and that are most appropriately conserved, protected, and  
14 promoted at the state level.

15 (e) Serve as an objective, nonpartisan repository of  
16 exemplary community-building ideas and as a source to  
17 recommend strategies and practices to assist others in working  
18 collaboratively to solve problems concerning issues relating  
19 to growth management.

20 (f) Annually, on January 16, provide to the Governor,  
21 the President of the Senate, and the Speaker of the House of  
22 Representatives a written report containing specific  
23 recommendations for addressing growth management in the state,  
24 including executive and legislative recommendations. In  
25 addition, the report must contain discussion and  
26 recommendations regarding the need for intergovernmental  
27 cooperation and the balancing of environmental protection and  
28 future development, including, but not limited to,  
29 recommendations regarding dedicated sources of funding for  
30 sewer facilities, water supply and quality, transportation  
31 facilities that are not adequately addressed by the Strategic

1 Intermodal System, and educational infrastructure to support  
2 existing development and projected population growth.

3 (g) Enter into contracts to receive and accept grants  
4 and contributions from any source, which shall be used to  
5 further the mission of the committee.

6 (h) Adopt rules necessary for its own organization and  
7 operation and for that of its staff, consistent with general  
8 law and with the rules of each house.

9 (3)(a) The committee shall appoint an executive  
10 director who shall serve under the direction, supervision, and  
11 control of the committee. The committee shall have complete  
12 authority for fixing the salary of the executive director. The  
13 committee is assigned to the Office of Legislative Services  
14 for purposes of administration and fiscal accountability. The  
15 executive director, with the consent of the committee and  
16 within budgetary limitations, shall employ staff as necessary  
17 to adequately perform its functions.

18 (b) The Office of Legislative Services shall provide  
19 staff and other resources necessary to accomplish the goals of  
20 the committee based upon recommendations of the Legislature.

21 (c) All agencies are requested, to render assistance  
22 to, and cooperate with, the committee.

23 Section 2. Paragraph (d) of subsection (1) of section  
24 201.15, Florida Statutes, as amended by section 22 of chapter  
25 2006-1, section 2 of chapter 2006-185, and section 2 of  
26 chapter 2006-231, Laws of Florida, is amended to read:

27 201.15 Distribution of taxes collected.--All taxes  
28 collected under this chapter shall be distributed as follows  
29 and shall be subject to the service charge imposed in s.  
30 215.20(1), except that such service charge shall not be levied  
31 against any portion of taxes pledged to debt service on bonds

1 to the extent that the amount of the service charge is  
2 required to pay any amounts relating to the bonds:

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

6 (d) The remainder of the moneys distributed under this  
7 subsection, after the required payments under paragraphs (a),  
8 (b), and (c), shall be paid into the State Treasury to the  
9 credit of:

10 1. The State Transportation Trust Fund in the  
11 Department of Transportation in the amount of \$541.75 million  
12 in each fiscal year, to be paid in quarterly installments and  
13 used for the following specified purposes, notwithstanding any  
14 other law to the contrary:

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

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

20 c. For the purposes of the Strategic Intermodal System  
21 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75  
22 percent of these funds after allocating for the New Starts  
23 Transit Program described in sub-subparagraph a. and the Small  
24 County Outreach Program described in sub-subparagraph b.; and

25 d. For the purposes of the Transportation Regional  
26 Incentive Program specified in s. 339.2819, 25 percent of  
27 these funds after allocating for the New Starts Transit  
28 Program described in sub-subparagraph a. and the Small County  
29 Outreach Program described in sub-subparagraph b.

30 2. The Water Protection and Sustainability Program  
31 Trust Fund in the Department of Environmental Protection in

1 the amount of \$100 million in each fiscal year, to be paid in  
2 quarterly installments and used as required by s. 403.890.

3 3. The Public Education Capital Outlay and Debt  
4 Service Trust Fund in the Department of Education in the  
5 amount of \$105 million in each fiscal year, to be paid in  
6 monthly installments with \$75 million used to fund the  
7 Classrooms for Kids Program created in s. 1013.735, and \$30  
8 million to be used to fund the High Growth County District  
9 Capital Outlay Assistance Grant Program created in s.  
10 1013.738. If required, new facilities constructed under the  
11 Classrooms for Kids Program must meet the requirements of s.  
12 1013.372.

13 4. The Grants and Donations Trust Fund in the  
14 Department of Community Affairs in the amount of ~~\$3~~<sup>\$3.25</sup>  
15 million in each fiscal year to be paid in monthly  
16 installments, ~~with \$3 million~~ to be used to fund technical  
17 assistance to local governments and school boards on the  
18 requirements and implementation of this act ~~and \$250,000 to be~~  
19 ~~used to fund the Century Commission established in s.~~  
20 ~~163.3247.~~

21  
22 Moneys distributed pursuant to this paragraph may not be  
23 pledged for debt service unless such pledge is approved by  
24 referendum of the voters.

25 Section 3. Section 163.3247, Florida Statutes, is  
26 repealed.

27 Section 4. The sum of \$550,000 in recurring general  
28 revenue is appropriated to the Joint Legislative Committee for  
29 a Sustainable Florida for the purpose of paying salaries and  
30 other administrative expenses of the committee which are

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1 necessary to carry out the provisions of s. 11.74, Florida  
2 Statutes, during the 2007-2008 fiscal year.

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

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5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
6 COMMITTEE SUBSTITUTE FOR  
7 CS for SB 318

8 The CS for CS for SB 318 changes the Century Commission from a  
9 free-standing executive-branch entity into a joint legislative  
10 committee. Its membership expands to eighteen and the  
11 appointment of its members is divided among the Governor and  
12 the presiding officers of the Legislature. Its dedicated  
13 funding source in current law is replaced with a separate  
14 appropriation of recurring general revenue funds.  
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