

By the Committee on Transportation

596-01976-09

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1                   A bill to be entitled  
2           An act relating to the Department of Transportation;  
3           amending s. 339.135, F.S.; requiring the department to  
4           submit the tentative work program to the Freight  
5           Infrastructure Resource Steering Council, as created  
6           by the act; amending s. 339.64, F.S.; abolishing the  
7           Statewide Intermodal Transportation Advisory Council  
8           and creating the Freight Infrastructure Resource  
9           Steering Council; requiring the council to continue to  
10          advise the Legislature and department on policies,  
11          planning, and funding of certain transportation  
12          projects; requiring the council to prioritize certain  
13          projects and evaluate the priorities of the  
14          department's tentative work program; revising the  
15          membership of the council; revising appointment  
16          authority and providing for terms of office; requiring  
17          that council meetings be electronically recorded;  
18          requiring that recordings and all other documents  
19          received be preserved pursuant to law; providing an  
20          effective date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

23  
24           Section 1. Paragraph (f) of subsection (4) of section  
25   339.135, Florida Statutes, is amended to read:

26           339.135 Work program; legislative budget request;  
27   definitions; preparation, adoption, execution, and amendment.—

28           (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

29           (f) The central office shall submit a preliminary copy of

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30 the tentative work program to the Executive Office of the  
31 Governor, the legislative appropriations committees, the Florida  
32 Transportation Commission, the Freight Infrastructure Resource  
33 Steering Council, and the Department of Community Affairs at  
34 least 14 days prior to the convening of the regular legislative  
35 session. Prior to the statewide public hearing required by  
36 paragraph (g), the Department of Community Affairs shall  
37 transmit to the Florida Transportation Commission a list of  
38 those projects and project phases contained in the tentative  
39 work program which are identified as being inconsistent with  
40 approved local government comprehensive plans. For urbanized  
41 areas of metropolitan planning organizations, the list may not  
42 contain any project or project phase that is scheduled in a  
43 transportation improvement program unless such inconsistency has  
44 been previously reported to the affected metropolitan planning  
45 organization.

46 Section 2. Subsection (5) of section 339.64, Florida  
47 Statutes, is amended to read:

48 339.64 Strategic Intermodal System Plan.—

49 (5) FREIGHT INFRASTRUCTURE RESOURCE STEERING COUNCIL  
50 ~~STATEWIDE INTERMODAL TRANSPORTATION ADVISORY COUNCIL.—~~

51 (a) The Freight Infrastructure Resource Steering Council  
52 ~~Statewide Intermodal Transportation Advisory Council~~ is created  
53 to advise and make recommendations to the Legislature and the  
54 department on policies, planning, and funding of intermodal  
55 freight transportation projects. The council's responsibilities  
56 ~~shall~~ include:

57 1. Advising the department on the policies, planning, and  
58 implementation of strategies used in the prioritization of

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59 ~~related to~~ intermodal freight transportation projects.

60 2. Evaluating the priorities of intermodal freight projects  
61 in the tentative work program of the department developed under  
62 s. 339.135(4), and providing advice and recommendations to the  
63 Legislature on funding for projects to move goods and people in  
64 the most efficient and effective manner in this state ~~for the~~  
65 ~~State of Florida.~~

66 (b) MEMBERSHIP.—Members of the Freight Infrastructure  
67 Resource Steering Council ~~Statewide Intermodal Transportation~~  
68 ~~Advisory Council~~ shall consist of the following:

69 1. ~~Six intermodal industry representatives selected by the~~  
70 ~~Governor as follows:~~

71 a. ~~One representative from an airport involved in the~~  
72 ~~movement of freight and people from their airport facility to~~  
73 ~~another transportation mode.~~

74 b. ~~One individual representing a fixed route, local-~~  
75 ~~government transit system.~~

76 c. ~~One representative from an intercity bus company~~  
77 ~~providing regularly scheduled bus travel as determined by~~  
78 ~~federal regulations.~~

79 d. ~~One representative from a spaceport.~~

80 e. ~~One representative from intermodal trucking companies.~~

81 f. ~~One representative having command responsibilities of a~~  
82 ~~major military installation.~~

83 1.2. Three intermodal industry representatives selected by  
84 the President of the Senate as follows:

85 a. One representative from major-line railroads.

86 b. One representative from seaports listed in s. 311.09(1)  
87 from the Atlantic Coast.

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88 c. One representative from an airport involved in the  
89 movement of freight and people from their airport facility to  
90 another transportation mode.

91 ~~2.3.~~ Three intermodal industry representatives selected by  
92 the Speaker of the House of Representatives as follows:

93 a. One representative from short-line railroads.

94 b. One representative from seaports listed in s. 311.09(1)  
95 from the Gulf Coast.

96 c. One representative from intermodal trucking companies.  
97 ~~In no event may this representative be employed by the same~~  
98 ~~company that employs the intermodal trucking company~~  
99 ~~representative selected by the Governor.~~

100 3. The Secretary of Transportation or the secretary's  
101 designee.

102 4. The Secretary of Community Affairs or the secretary's  
103 designee.

104 5. The director of the Office of Tourism, Trade, and  
105 Economic Development.

106 (c) Council members ~~Initial appointments to the council~~  
107 ~~must be made no later than 30 days after the effective date of~~  
108 ~~this section.~~

109 ~~1. The initial appointments made by the President of the~~  
110 ~~Senate and the Speaker of the House of Representatives shall~~  
111 ~~serve terms concurrent with those of the respective appointing~~  
112 ~~officer. Beginning January 15, 2005, and for all subsequent~~  
113 ~~appointments, council members appointed by the President of the~~  
114 ~~Senate and the Speaker of the House of Representatives shall be~~  
115 ~~appointed to serve 2-year terms, concurrent with the term of the~~  
116 ~~respective appointing officer.~~

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117           ~~2. The initial appointees, and all subsequent appointees,~~  
118 ~~made by the Governor shall serve 2-year terms.~~

119           2.3. Vacancies on the council shall be filled in the same  
120 manner as the initial appointments.

121           (d) Each member of the council is ~~shall be~~ allowed one  
122 vote. The council shall select a chair from among its  
123 legislatively appointed membership. Meetings shall be held at  
124 the call of the chair, but not less frequently than twice  
125 annually ~~quarterly~~. The members of the council are entitled to  
126 reimbursement ~~shall be reimbursed~~ for per diem and travel  
127 expenses as provided in s. 112.061.

128           (e) The department shall provide administrative staff  
129 support and ~~shall~~ ensure that council meetings are  
130 electronically recorded. The ~~Such~~ recordings and all documents  
131 received, prepared for, or used by the council in conducting its  
132 business shall be preserved pursuant to chapters 119 and 257.

133           Section 3. This act shall take effect July 1, 2009.