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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2009	.	
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The Committee on Finance and Tax (Justice) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 821 and 822  
insert:

Section 15. Paragraph (d) of subsection (7) of section 339.135, Florida Statutes, is amended to read:

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

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

(d)1. Whenever the department proposes any amendment to the adopted work program, as defined in subparagraph (c)1. or



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12 subparagraph (c)3., which deletes or defers a construction phase  
13 on a capacity project, it shall notify each county affected by  
14 the amendment and each municipality within the county. The  
15 notification shall be issued in writing to the chief elected  
16 official of each affected county, each municipality within the  
17 county, and the chair of each affected metropolitan planning  
18 organization. Each affected county and each municipality in the  
19 county is encouraged to coordinate with each other in order to  
20 determine how the amendment affects local concurrency management  
21 and regional transportation planning efforts. Each affected  
22 county, and each municipality within the county, shall have 14  
23 days to provide written comments to the department regarding how  
24 the amendment will affect its respective concurrency management  
25 systems, including whether any development permits were issued  
26 contingent upon the capacity improvement, if applicable. After  
27 receipt of written comments from the affected local governments,  
28 the department shall include any written comments submitted by  
29 such local governments in its preparation of the proposed  
30 amendment.

31 2. Following the 14-day comment period in subparagraph 1.,  
32 if applicable, whenever the department proposes any amendment to  
33 the adopted work program, which amendment is defined in  
34 subparagraph (c)1., subparagraph (c)2., subparagraph (c)3., or  
35 subparagraph (c)4., it shall submit the proposed amendment to  
36 the Governor for approval and shall immediately notify the  
37 chairs of the legislative appropriations committees, the chairs  
38 of the legislative transportation committees, and each member of  
39 the Legislature who represents a district affected by the  
40 proposed amendment. It shall also notify, each metropolitan



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41 planning organization affected by the proposed amendment, and  
42 each unit of local government affected by the proposed  
43 amendment, unless it provided to each the notification required  
44 by subparagraph 1. Such proposed amendment shall provide a  
45 complete justification of the need for the proposed amendment.

46 ~~3.2.~~ The Governor may ~~shall~~ not approve a proposed  
47 amendment until 14 days following the notification required in  
48 subparagraph 2. ~~1.~~

49 ~~4.3.~~ If either of the chairs of the legislative  
50 appropriations committees or the President of the Senate or the  
51 Speaker of the House of Representatives objects in writing to a  
52 proposed amendment within 14 days following notification and  
53 specifies the reasons for such objection, the Governor shall  
54 disapprove the proposed amendment.

55  
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete line 66

59 and insert:

60 public notice and hearing; amending s. 339.135, F.S.;  
61 revising certain notice provisions that require the Department  
62 of Transportation to notify local governments regarding  
63 amendments to an adopted 5-year work program; amending s.  
64 339.2816, F.S.,