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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/25/2013	.	
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The Committee on Transportation (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 39 and 40  
insert:

Section 1. Subsection (26) of section 334.044, Florida Statutes, is amended to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(26) To provide for the enhancement of environmental benefits, including air and water quality; to prevent roadside erosion; to conserve the natural roadside growth and scenery; and to provide for the implementation and maintenance of roadside conservation,



13 enhancement, and stabilization programs. No less than 1.5  
14 percent of the amount contracted for construction projects shall  
15 be allocated by the department on a statewide basis for the  
16 purchase of plant materials. Department districts may not expend  
17 funds for landscaping in connection with any project that is  
18 limited to resurfacing existing lanes unless the expenditure has  
19 been approved by the department's secretary or the secretary's  
20 designee. To the greatest extent practical, a minimum of 50  
21 percent of the funds allocated under this subsection shall be  
22 allocated for large plant materials and the remaining funds for  
23 other plant materials. Except as prohibited by applicable  
24 federal law or regulation, all plant materials shall be  
25 purchased from Florida commercial nursery stock in this state on  
26 a uniform competitive bid basis. The department shall develop  
27 grades and standards for landscaping materials purchased through  
28 this process. To accomplish these activities, the department may  
29 contract with nonprofit organizations having the primary purpose  
30 of developing youth employment opportunities.

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

32 And the title is amended as follows:

33 Delete line 3

34 and insert:

35 334.044, F.S.; providing an exclusion from provisions  
36 requiring that all plant materials for highway  
37 landscaping be purchased from Florida commercial  
38 nursery stock in this state on a uniform competitive  
39 bid basis when prohibited by federal law or  
40 regulation; amending s. 335.06, F.S.; revising the  
41 responsibilities of the