

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nuñez offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 1371 and 1372, insert:

5 Section 32. Paragraphs (a), (c), and (d) of subsection (3)
6 of section 339.175, Florida Statutes, are amended to read:

7 339.175 Metropolitan planning organization.—

8 (3) VOTING MEMBERSHIP.—

9 (a) The voting membership of an M.P.O. shall consist of at
10 least 5 but not more than 25 apportioned members, with the exact
11 number determined on an equitable geographic-population ratio
12 basis, based on an agreement among the affected units of
13 general-purpose local government and the Governor, as required
14 by federal regulations. In accordance with 23 U.S.C. s. 134, the

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15 Governor may also allow M.P.O. members who represent
16 municipalities to alternate with representatives from other
17 municipalities within the metropolitan planning area which do
18 not have members on the M.P.O. With the exception of counties
19 chartered under s. 6(e), Art. VIII of the State Constitution and
20 instances in which all of the county commissioners in a single-
21 county M.P.O. are members of the M.P.O. governing board, county
22 commissioners shall compose at least one-third of the M.P.O.
23 governing board membership. A multicounty M.P.O. may satisfy
24 this requirement by any combination of county commissioners from
25 each of the counties constituting the M.P.O. Voting members
26 shall be elected officials of general-purpose local governments,
27 one of whom may represent a group of general-purpose local
28 governments through an entity created by an M.P.O. for that
29 purpose. An M.P.O. may include, as part of its apportioned
30 voting members, a member of a statutorily authorized planning
31 board, an official of an agency that operates or administers a
32 major mode of transportation, or an official of Space Florida.
33 As used in this section, the term "elected officials of a
34 general-purpose local government" excludes constitutional
35 officers, including sheriffs, tax collectors, supervisors of
36 elections, property appraisers, clerks of the court, and similar
37 types of officials. County commissioners shall compose not less
38 than 20 percent of the M.P.O. membership if an official of an
39 agency that operates or administers a major mode of
40 transportation has been appointed to an M.P.O.

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41 (c) Except as provided in paragraph (d), and any other
42 provision of this section to the contrary notwithstanding, a
43 chartered county with over 1 million population may elect to
44 reapportion the membership of an M.P.O. whose jurisdiction is
45 wholly within the county. The charter county may exercise the
46 provisions of this paragraph if:

47 1. The M.P.O. approves the reapportionment plan by a
48 three-fourths vote of its membership;

49 2. The M.P.O. and the charter county determine that the
50 reapportionment plan is needed to fulfill specific goals and
51 policies applicable to that metropolitan planning area; and

52 3. The charter county determines the reapportionment plan
53 otherwise complies with all federal requirements pertaining to
54 M.P.O. membership.

55
56 Any charter county that elects to exercise the provisions of
57 this paragraph shall notify the Governor in writing.

58 (d) Any other provision of this section to the contrary
59 notwithstanding, the membership of an M.P.O. in any county
60 chartered under s. 6(e), Art. VIII of the State Constitution
61 whose jurisdiction is wholly contained within the county shall
62 be the county mayor, the chairperson of the county commission,
63 the chairperson of the county's transportation committee, one
64 person appointed by the governing body of each municipality with
65 a population of 60,000 or more residents, one county
66 commissioner appointed by the Governor whose district includes

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67 only unincorporated areas of the county, one county commissioner
68 appointed by the Governor whose district includes Biscayne
69 National Park, one representative from the county's expressway
70 authority appointed by the Governor, and one representative of
71 the department serving as a nonvoting advisor ~~may elect to have~~
72 ~~its county commission serve as the M.P.O., if the M.P.O.~~
73 ~~jurisdiction is wholly contained within the county. Any charter~~
74 ~~county that elects to exercise the provisions of this paragraph~~
75 ~~shall so notify the Governor in writing. Upon receipt of such~~
76 ~~notification, the Governor must designate the county commission~~
77 ~~as the M.P.O. The Governor must appoint four additional voting~~
78 ~~members to the M.P.O., one of whom must be an elected official~~
79 ~~representing a municipality within the county, one of whom must~~
80 ~~be an expressway authority member, one of whom must be a person~~
81 ~~who does not hold elected public office and who resides in the~~
82 ~~unincorporated portion of the county, and one of whom must be a~~
83 ~~school board member.~~

84 Section 33. Section 339.176, Florida Statutes, is amended
85 to read:

86 339.176 Voting membership for M.P.O. with boundaries
87 including certain counties.—In addition to the voting membership
88 established by s. 339.175(3) and notwithstanding any other
89 provision of law to the contrary, the voting membership of any
90 Metropolitan Planning Organization whose geographical boundaries
91 include any county as defined in s. 125.011(1) must include an
92 additional voting member appointed by the ~~that city's~~ governing

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93 body for each municipality ~~city~~ with a population of 50,000 or
94 more residents, except as otherwise provided in s.
95 339.175(3)(d).
96

97

98 **T I T L E A M E N D M E N T**

99 Between lines 105 and 106, insert:

100 amending s. 339.175, F.S.; revising the membership of certain
101 metropolitan planning organizations; amending s. 339.176, F.S.;
102 providing an exception to the voting membership of metropolitan
103 planning organizations in certain counties;

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