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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2016	.	
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The Committee on Appropriations (Latvala) recommended the following:

1 **Senate Substitute for Amendment (136342) (with title**
2 **amendment)**

3
4 Between lines 259 and 260
5 insert:

6 Section 9. Subsection (3) of section 337.0261, Florida
7 Statutes, is amended to read:

8 337.0261 Construction aggregate materials.—

9 (3) LOCAL GOVERNMENT DECISIONMAKING.—A ~~No~~ local government
10 may not shall approve or deny a proposed land use zoning change,



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11 comprehensive plan amendment, land use permit, ordinance, or
12 order regarding construction aggregate materials without
13 considering any information provided by the Department of
14 Transportation regarding the effect such change, amendment,
15 permit decision, ordinance, or order would have on the
16 availability, transportation, cost, and potential extraction of
17 construction aggregate materials on the local area, the region,
18 and the state. The failure of the Department of Transportation
19 to provide this information shall not be a basis for delay or
20 invalidation of the local government action. A ~~Ne~~ local
21 government may not impose a moratorium, or combination of
22 moratoria, of more than 12 months' duration on the mining or
23 extraction of construction aggregate materials, commencing on
24 the date the vote was taken to impose the moratorium. January 1,
25 2007, shall serve as the commencement of the 12-month period for
26 moratoria already in place as of July 1, 2007.

27

28 Delete lines 463 - 474

29 and insert:

30 Section 14. Paragraph (b) of subsection (4) of section
31 339.2816, Florida Statutes, is amended to read:

32 339.2816 Small County Road Assistance Program.—

33 (4)

34 (b) In determining a county's eligibility for assistance
35 under this program, the department may consider:

36 1. Whether the county has attempted to keep county roads in
37 satisfactory condition, including the amount of local option
38 fuel tax imposed by the county.

39 2. ~~The department may also consider~~ The extent to which the



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40 county has offered to provide a match of local funds with state
41 funds provided under the program.

42
43 At a minimum, small counties shall be eligible only if the
44 county has enacted the maximum rate of the local option fuel tax
45 authorized by s. 336.025(1)(a). A county that adopts or enforces
46 any local government comprehensive plan, land use map, zoning
47 district, land development regulation, ordinance, or order that
48 has the effect of prohibiting or unduly regulating or
49 restricting the extraction of construction aggregate materials,
50 as defined in s. 337.0261, or any associated activities is
51 ineligible for assistance under this program.

52 Section 15. Subsection (2) and paragraph (b) of subsection
53 (4) of section 339.2818, Florida Statutes, are amended to read:
54 339.2818 Small County Outreach Program.—

55 (2)~~(a)~~ For the purposes of this section, the term "small
56 county" means any county that has a population of 170,000
57 ~~150,000~~ or less as determined by the most recent official
58 estimate pursuant to s. 186.901.

59 ~~(b) Notwithstanding paragraph (a), for the 2015-2016 fiscal~~
60 ~~year, for purposes of this section, the term "small county"~~
61 ~~means any county that has a population of 165,000 or less as~~
62 ~~determined by the most recent official estimate pursuant to s.~~
63 ~~186.901. This paragraph expires July 1, 2016.~~

64 (4)

65 (b) In determining a county's eligibility for assistance
66 under this program, the department may consider whether the
67 county has attempted to keep county roads in satisfactory
68 condition, which may be evidenced through an established



69 pavement management plan. A county that adopts or enforces any
70 local government comprehensive plan, land use map, zoning
71 district, land development regulation, ordinance, or order that
72 has the effect of prohibiting or unduly regulating or
73 restricting the extraction of construction aggregate materials,
74 as defined in s. 337.0261, or any associated activities is
75 ineligible for assistance under the program.
76

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

78 And the title is amended as follows:

79 Delete line 37

80 and insert:

81 airport-related leases; amending s. 337.0261, F.S.;

82 requiring local governments to consider information

83 provided by the Department of Transportation regarding

84 the effect that approving or denying certain

85 regulations may have on the cost of construction

86 aggregate materials in the local area, the region, and

87 the state; amending s. 338.155, F.S.;

88 Delete lines 65 - 70

89 and insert:

90 technology; amending s. 339.2816, F.S.; providing

91 certain restrictions for the eligibility of counties

92 to receive assistance under the Small County Road

93 Assistance Program; amending s. 339.2818, F.S.;

94 increasing the population ceiling in the definition of

95 the term "small county" for purposes of the program;

96 deleting an alternative definition of the term "small

97 county" for a specified fiscal year; providing that a



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98 county that adopts or enforces certain restrictions on
99 the extraction of construction aggregate materials is
100 ineligible for assistance under the program; amending
101 s. 339.64, F.S.; requiring the