

By Senator Bradley

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1 A bill to be entitled
2 An act relating to regional planning councils;
3 amending s. 186.007, F.S.; revising a requirement for
4 the Executive Office of the Governor to review and
5 consider certain reports, data, and analyses relating
6 to the revision of the state comprehensive plan;
7 eliminating the advisory role of regional planning
8 councils in state comprehensive plan preparation and
9 revision; repealing ss. 186.501, 186.502, 186.503,
10 186.504, 186.505, 186.506, 186.507, 186.508, 186.509,
11 186.511, 186.512, and 186.513, F.S., relating to the
12 Florida Regional Planning Council Act, including a
13 short title, legislative findings, definitions, the
14 creation and membership of regional planning councils,
15 the powers and duties of regional planning councils,
16 the powers and duties of the Executive Office of the
17 Governor relating to the act, strategic regional
18 policy plans, strategic regional policy plan adoption,
19 a dispute resolution process, the evaluation of
20 strategic regional policy plans, the designation of
21 regional planning councils, and reports; repealing s.
22 186.515, F.S., relating to the creation of regional
23 planning councils under ch. 163, F.S.; amending s.
24 215.559, F.S.; requiring the Division of Emergency
25 Management to give funding priority to certain
26 projects in counties, rather than regional planning
27 council regions, that meet specified criteria;
28 amending s. 252.385, F.S.; revising the requirements
29 for the statewide emergency shelter plan to include

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30 the general location and square footage of special
31 needs shelters by county rather than by regional
32 planning council region; requiring state funds to be
33 maximized and targeted to counties with hurricane
34 evacuation shelter deficits rather than regional
35 planning council regions; amending s. 320.08058, F.S.;
36 revising the distribution of annual use fees collected
37 for the Tampa Bay Estuary license plate; amending s.
38 369.307, F.S.; requiring the St. Johns River Water
39 Management District, rather than the East Central
40 Florida Regional Planning Council, to adopt policies
41 to protect the Wekiva River Protection Area; revising
42 requirements for such policies; amending s. 369.324,
43 F.S.; requiring the St. Johns River Water Management
44 District, rather than the East Central Florida
45 Regional Planning Council, to provide staff support to
46 the Wekiva River Basin Commission; requiring the
47 district to serve as a clearinghouse of baseline or
48 specialized studies; amending s. 380.05, F.S.;
49 authorizing local governments to recommend areas of
50 critical state concern to the state land planning
51 agency; amending s. 403.7225, F.S.; requiring counties
52 to make arrangements with the Department of
53 Environmental Protection, rather than their regional
54 planning councils, to perform hazardous waste
55 management assessments; amending s. 403.723, F.S.;
56 requiring the department, rather than regional
57 planning councils, to designate sites for construction
58 of regional hazardous waste storage or treatment

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59 facilities; amending s. 1013.372, F.S.; providing that
60 if a county does not have a hurricane evacuation
61 shelter deficit, educational facilities within the
62 county are not required to incorporate the public
63 shelter criteria; requiring the Division of Emergency
64 Management to identify the general location and square
65 footage of existing and needed shelters by county
66 rather than by regional planning council region;
67 amending s. 1013.385, F.S.; authorizing counties,
68 rather than regional planning councils, to determine
69 whether there is sufficient shelter capacity in a
70 school district; amending s. 1013.74, F.S.; requiring
71 public hurricane evacuation shelters in certain
72 counties rather than in regional planning council
73 regions to be constructed in accordance with public
74 shelter standards; amending ss. 68.082, 120.52,
75 120.525, 120.65, 163.3164, 163.3177, 163.3178,
76 163.3184, 163.3245, 163.568, 164.1031, 186.003,
77 186.006, 186.008, 186.803, 187.201, 218.32, 258.501,
78 260.0142, 288.0656, 288.975, 335.188, 338.2278,
79 339.155, 339.175, 339.63, 339.64, 341.041, 343.54,
80 369.303, 373.309, 377.703, 378.411, 380.031, 380.045,
81 380.055, 380.06, 380.061, 380.07, 380.507, 403.0752,
82 403.503, 403.50663, 403.507, 403.518, 403.522,
83 403.526, 403.5272, 403.5363, 403.5365, 403.537,
84 403.704, 403.7226, 403.9403, 403.941, 403.9422,
85 403.973, 408.033, 420.609, 427.012, 501.171, and
86 1013.30, F.S.; conforming provisions and cross-
87 references to changes made by the act; amending ss.

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88 339.285, 373.415, and 403.5115, F.S.; conforming
89 cross-references; reenacting ss. 57.105(5),
90 57.111(3)(f), and 216.241(3), F.S., relating to
91 attorney fees, civil actions and administrative
92 proceedings initiated by state agencies, and
93 initiation or commencement of new programs,
94 respectively, to incorporate the amendment made to s.
95 120.52, F.S., in references thereto; reenacting s.
96 380.0552(6), F.S., relating to the Florida Keys Area
97 and its protection and designation as an area of
98 critical state concern, to incorporate the amendment
99 made to s. 380.045, F.S., in a reference thereto;
100 authorizing local governments to enter into agreements
101 to create regional planning entities; providing an
102 effective date.

103
104 Be It Enacted by the Legislature of the State of Florida:

105
106 Section 1. Subsections (7) and (8) of section 186.007,
107 Florida Statutes, are amended to read:

108 186.007 State comprehensive plan; preparation; revision.—

109 (7) In preparing and revising the state comprehensive plan,
110 the Executive Office of the Governor shall, to the extent
111 feasible, consider studies, reports, and plans of each
112 department, agency, and institution of state and local
113 government, ~~each regional planning agency,~~ and the Federal
114 Government and shall take into account the existing and
115 prospective resources, capabilities, and needs of state and
116 local levels of government.

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117 (8) The revision of the state comprehensive plan is a
118 continuing process. Each section of the plan shall be reviewed
119 and analyzed biennially by the Executive Office of the Governor
120 in conjunction with the planning officers of other state
121 agencies significantly affected by the provisions of the
122 particular section under review. In conducting this review and
123 analysis, the Executive Office of the Governor shall review and
124 consider, with the assistance of the state land planning agency,
125 any relevant reports, data, or analyses and ~~regional planning~~
126 ~~councils, the evaluation and appraisal reports prepared pursuant~~
127 ~~to s. 186.511~~. Any necessary revisions of the state
128 comprehensive plan shall be proposed by the Governor in a
129 written report and be accompanied by an explanation of the need
130 for such changes. If the Governor determines that changes are
131 unnecessary, the written report must explain why changes are
132 unnecessary. The proposed revisions and accompanying
133 explanations may be submitted in the report required by s.
134 186.031. Any proposed revisions to the plan shall be submitted
135 to the Legislature as provided in s. 186.008(2) at least 30 days
136 prior to the regular legislative session occurring in each even-
137 numbered year.

138 Section 2. Sections 186.501, 186.502, 186.503, 186.504,
139 186.505, 186.506, 186.507, 186.508, 186.509, 186.511, 186.512,
140 and 186.513, Florida Statutes, are repealed.

141 Section 3. Section 186.515, Florida Statutes, is repealed.

142 Section 4. Paragraph (b) of subsection (1) of section
143 215.559, Florida Statutes, is amended to read:

144 215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss
145 Mitigation Program is established in the Division of Emergency

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146 Management.

147 (1) The Legislature shall annually appropriate \$10 million
148 of the moneys authorized for appropriation under s.
149 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the
150 division for the purposes set forth in this section. Of the
151 amount:

152 (b) Three million dollars in funds shall be used to
153 retrofit existing facilities used as public hurricane shelters.
154 Each year the division shall prioritize the use of these funds
155 for projects included in the annual report of the Shelter
156 Retrofit Report prepared in accordance with s. 252.385(3). The
157 division must give funding priority to projects in counties
158 ~~regional planning council regions~~ that have shelter deficits and
159 to projects that maximize the use of state funds.

160 Section 5. Paragraph (b) of subsection (2) and subsection
161 (3) of section 252.385, Florida Statutes, are amended to read:
162 252.385 Public shelter space.—

163 (2)

164 (b) By January 31 of each even-numbered year, the division
165 shall prepare and submit a statewide emergency shelter plan to
166 the Governor and Cabinet for approval, subject to the
167 requirements for approval in s. 1013.37(2). The plan shall
168 identify the general location and square footage of special
169 needs shelters, by county ~~regional planning council region~~,
170 during the next 5 years. The plan shall also include information
171 on the availability of shelters that accept pets. The Department
172 of Health shall assist the division in determining the estimated
173 need for special needs shelter space and the adequacy of
174 facilities to meet the needs of persons with special needs based

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175 on information from the registries of persons with special needs
176 and other information.

177 (3) The division shall annually provide to the President of
178 the Senate, the Speaker of the House of Representatives, and the
179 Governor a list of facilities recommended to be retrofitted
180 using state funds. State funds should be maximized and targeted
181 to counties ~~regional planning council regions~~ with hurricane
182 evacuation shelter deficits. Retrofitting facilities in regions
183 with public hurricane evacuation shelter deficits shall be given
184 first priority and should be completed by 2003. All recommended
185 facilities should be retrofitted by 2008. The owner or lessee of
186 a public hurricane evacuation shelter that is included on the
187 list of facilities recommended for retrofitting is not required
188 to perform any recommended improvements.

189 Section 6. Paragraph (b) of subsection (26) of section
190 320.08058, Florida Statutes, is amended to read:

191 320.08058 Specialty license plates.—

192 (26) TAMPA BAY ESTUARY LICENSE PLATES.—

193 (b) The annual use fees shall be distributed to the Tampa
194 Bay Estuary Program created by s. 163.01.

195 1. A maximum of 5 percent of such fees may be used for
196 marketing the plate.

197 2. ~~Twenty percent of the proceeds from the annual use fee,~~
198 ~~not to exceed \$50,000, shall be provided to the Tampa Bay~~
199 ~~Regional Planning Council for activities of the Agency on Bay~~
200 ~~Management implementing the Council/Agency Action Plan for the~~
201 ~~restoration of the Tampa Bay estuary, as approved by the Tampa~~
202 ~~Bay Estuary Program Policy Board.~~

203 3. The remaining proceeds must be used to implement the

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204 Comprehensive Conservation and Management Plan for Tampa Bay,
205 pursuant to priorities approved by the Tampa Bay Estuary Program
206 Policy Board.

207 Section 7. Subsection (3) of section 369.307, Florida
208 Statutes, is amended to read:

209 369.307 Developments of regional impact in the Wekiva River
210 Protection Area; land acquisition.—

211 (3) The Wekiva River Protection Area is hereby declared to
212 be a natural resource of state and regional importance. The St.
213 Johns River Water Management District ~~East-Central Florida~~
214 ~~Regional Planning Council~~ shall adopt policies that ~~as part of~~
215 ~~its strategic regional policy plan and regional issues list~~
216 ~~which~~ will protect the water quantity, water quality, hydrology,
217 wetlands, aquatic and wetland-dependent wildlife species,
218 habitat of species ~~designated pursuant to rules 39-27.003, 39-~~
219 ~~27.004, and 39-27.005, Florida Administrative Code,~~ and native
220 vegetation in the Wekiva River Protection Area. The water
221 management district ~~council~~ shall also cooperate with the
222 department in the department's implementation of ~~the provisions~~
223 ~~of~~ s. 369.305.

224 Section 8. Subsections (1) and (4) of section 369.324,
225 Florida Statutes, are amended to read:

226 369.324 Wekiva River Basin Commission.—

227 (1) The Wekiva River Basin Commission is created to monitor
228 and ensure the implementation of the recommendations of the
229 Wekiva River Basin Coordinating Committee for the Wekiva Study
230 Area. The St. Johns River Water Management District ~~East-Central~~
231 ~~Florida Regional Planning Council~~ shall provide staff support to
232 the commission with funding assistance from the Department of

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233 Economic Opportunity. The commission shall be comprised of a
234 total of 18 members appointed by the Governor, 9 of whom shall
235 be voting members and 9 shall be ad hoc nonvoting members. The
236 voting members shall include:

237 (a) One member of each of the Boards of County
238 Commissioners for Lake, Orange, and Seminole Counties.

239 (b) One municipal elected official to serve as a
240 representative of the municipalities located within the Wekiva
241 Study Area of Lake County.

242 (c) One municipal elected official to serve as a
243 representative of the municipalities located within the Wekiva
244 Study Area of Orange County.

245 (d) One municipal elected official to serve as a
246 representative of the municipalities located within the Wekiva
247 Study Area of Seminole County.

248 (e) One citizen representing an environmental or
249 conservation organization, one citizen representing a local
250 property owner, a land developer, or an agricultural entity, and
251 one at-large citizen who shall serve as chair of the council.

252 (f) The ad hoc nonvoting members shall include one
253 representative from each of the following entities:

- 254 1. St. Johns River Management District.
- 255 2. Department of Economic Opportunity.
- 256 3. Department of Environmental Protection.
- 257 4. Department of Health.
- 258 5. Department of Agriculture and Consumer Services.
- 259 6. Fish and Wildlife Conservation Commission.
- 260 7. Department of Transportation.
- 261 8. MetroPlan Orlando.

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262 9. Central Florida Expressway Authority.

263 (4) To assist the commission in its mission, the St. Johns
264 River Water Management District ~~East Central Florida Regional~~
265 ~~Planning Council~~, in coordination with the applicable regional
266 and state agencies, shall serve as a clearinghouse of baseline
267 or specialized studies through modeling and simulation,
268 including collecting and disseminating data on the demographics,
269 economics, and the environment of the Wekiva Study Area
270 including the changing conditions of the Wekiva River surface
271 and groundwater basin and associated influence on the Wekiva
272 River and the Wekiva Springs.

273 Section 9. Subsections (3), (4), (7), (8), and (12) of
274 section 380.05, Florida Statutes, are amended to read:

275 380.05 Areas of critical state concern.—

276 (3) Each local government ~~regional planning agency may~~
277 ~~recommend to the state land planning agency from time to time~~
278 ~~areas wholly or partially within its jurisdiction that meet the~~
279 ~~criteria for areas of critical state concern as defined in this~~
280 ~~section. Each regional planning agency shall solicit from the~~
281 ~~local governments within its jurisdiction suggestions as to~~
282 ~~areas to be recommended. A local government in an area where~~
283 ~~there is no regional planning agency may recommend to the state~~
284 land planning agency from time to time areas wholly or partially
285 within its jurisdiction that meet the criteria for areas of
286 critical state concern as defined in this section. If the state
287 land planning agency does not recommend to the commission as an
288 area of critical state concern an area substantially similar to
289 one that has been recommended, it shall respond in writing as to
290 its reasons therefor.

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291 (4) Before ~~Prior to~~ submitting any recommendation to the
292 commission under subsection (1), the state land planning agency
293 shall give notice to any committee appointed pursuant to s.
294 380.045 and to all local governments ~~and regional planning~~
295 ~~agencies~~ that include within their boundaries any part of any
296 area of critical state concern proposed to be designated by the
297 rule, in addition to any notice otherwise required under chapter
298 120.

299 (7) The state land planning agency ~~and any applicable~~
300 ~~regional planning agency~~ shall, to the greatest extent possible,
301 provide technical assistance to local governments in the
302 preparation of the land development regulations and local
303 comprehensive plan for areas of critical state concern.

304 (8) If any local government fails to submit land
305 development regulations or a local comprehensive plan, or if the
306 regulations or plan or plan amendment submitted do not comply
307 with the principles for guiding development set out in the rule
308 designating the area of critical state concern, within 120 days
309 after the adoption of the rule designating an area of critical
310 state concern, or within 120 days after the issuance of a
311 recommended order on the compliance of the plan or plan
312 amendment pursuant to s. 163.3184, or within 120 days after the
313 effective date of an order rejecting a proposed land development
314 regulation, the state land planning agency shall submit to the
315 commission recommended land development regulations and a local
316 comprehensive plan or portions thereof applicable to that local
317 government's portion of the area of critical state concern.
318 Within 45 days following receipt of the recommendation from the
319 agency, the commission shall either reject the recommendation as

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320 tendered or adopt the recommendation with or without
321 modification, and by rule establish land development regulations
322 and a local comprehensive plan applicable to that local
323 government's portion of the area of critical state concern.
324 However, such rule shall not become effective before ~~prior to~~
325 legislative review of an area of critical state concern pursuant
326 to paragraph (1)(c). In the rule, the commission shall specify
327 the extent to which its land development regulations, plans, or
328 plan amendments will supersede, or will be supplementary to,
329 local land development regulations and plans. Notice of any
330 proposed rule issued under this section shall be given to all
331 local governments and regional ~~planning~~ agencies in the area of
332 critical state concern, in addition to any other notice required
333 under chapter 120. The land development regulations and local
334 comprehensive plan adopted by the commission under this section
335 may include any type of regulation and plan that could have been
336 adopted by the local government. Any land development
337 regulations or local comprehensive plan or plan amendments
338 adopted by the commission under this section shall be
339 administered by the local government as part of, or in the
340 absence of, the local land development regulations and local
341 comprehensive plan.

342 (12) Upon the request of a substantially interested person
343 pursuant to s. 120.54(7), a local government or regional
344 ~~planning~~ agency within the designated area, or the state land
345 planning agency, the commission may by rule remove, contract, or
346 expand any designated boundary. Boundary expansions are subject
347 to legislative review pursuant to paragraph (1)(c). No boundary
348 may be modified without a specific finding by the commission

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349 that such changes are consistent with necessary resource
350 protection. The total boundaries of an entire area of critical
351 state concern shall not be removed by the commission unless a
352 minimum time of 1 year has elapsed from the adoption of
353 regulations and a local comprehensive plan pursuant to
354 subsection (1), subsection (6), subsection (8), or subsection
355 (10). Before totally removing such boundaries, the commission
356 shall make findings that the regulations and plans adopted
357 pursuant to subsection (1), subsection (6), subsection (8), or
358 subsection (10) are being effectively implemented by local
359 governments within the area of critical state concern to protect
360 the area and that adopted local government comprehensive plans
361 within the area have been conformed to principles for guiding
362 development for the area.

363 Section 10. Subsections (3) and (6) of section 403.7225,
364 Florida Statutes, are amended to read:

365 403.7225 Local hazardous waste management assessments.—

366 (3) Each county ~~or regional planning council~~ shall
367 coordinate the local hazardous waste management assessments
368 within its jurisdiction according to guidelines established
369 under s. 403.7226. If a county declines to perform the local
370 hazardous waste management assessment, the county shall make
371 arrangements with the department ~~its regional planning council~~
372 to perform the assessment.

373 (6) Unless performed by the county pursuant to subsection
374 (3), the department ~~the regional planning councils~~ shall upon
375 successful arrangements with a county:

376 (a) Perform local hazardous waste management assessments;
377 and

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378 (b) Provide any technical expertise needed by the counties
379 in developing the assessments.

380 Section 11. Subsection (2) of section 403.723, Florida
381 Statutes, is amended to read:

382 403.723 Siting of hazardous waste facilities.—It is the
383 intent of the Legislature to facilitate siting of proper
384 hazardous waste storage facilities in each region and any
385 additional storage, treatment, or disposal facilities as
386 required. The Legislature recognizes the need for facilitating
387 disposal of waste produced by small generators, reducing the
388 volume of wastes generated in the state, reducing the toxicity
389 of wastes generated in the state, and providing treatment and
390 disposal facilities in the state.

391 (2) After each county designates areas for storage
392 facilities, the department ~~each regional planning council~~ shall
393 designate one or more sites at which a regional hazardous waste
394 storage or treatment facility could be constructed.

395 Section 12. Subsections (1) and (2) of section 1013.372,
396 Florida Statutes, are amended to read:

397 1013.372 Education facilities as emergency shelters.—

398 (1) The Department of Education shall, in consultation with
399 boards and county and state emergency management offices,
400 include within the standards to be developed under this
401 subsection public shelter design criteria to be incorporated
402 into the Florida Building Code. The new criteria must be
403 designed to ensure that appropriate new educational facilities
404 can serve as public shelters for emergency management purposes.
405 A facility, or an appropriate area within a facility, for which
406 a design contract is entered into after the effective date of

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407 the inclusion of the public shelter criteria in the code must be
408 built in compliance with the amended code unless the facility or
409 a part of it is exempted from using the new shelter criteria due
410 to its location, size, or other characteristics by the
411 applicable board with the concurrence of the applicable local
412 emergency management agency or the Division of Emergency
413 Management. Any educational facility located or proposed to be
414 located in an identified category 1, 2, or 3 evacuation zone is
415 not subject to the requirements of this subsection. If the
416 county ~~regional planning council region in which the county is~~
417 ~~located~~ does not have a hurricane evacuation shelter deficit, as
418 determined by the Division of Emergency Management, educational
419 facilities within the county ~~planning council region~~ are not
420 required to incorporate the public shelter criteria.

421 (2) By January 31 of each even-numbered year, the Division
422 of Emergency Management shall prepare and submit a statewide
423 emergency shelter plan to the Governor and the Cabinet for
424 approval. The plan must identify the general location and square
425 footage of existing shelters, by county ~~regional planning~~
426 ~~council region~~, and the general location and square footage of
427 needed shelters, by county ~~regional planning council region~~,
428 during the next 5 years. The plan must identify the types of
429 public facilities that should be constructed to comply with
430 emergency-shelter criteria and must recommend an appropriate and
431 available source of funding for the additional cost of
432 constructing emergency shelters within these public facilities.
433 After the approval of the plan, a board may not be required to
434 build more emergency-shelter space than identified as needed in
435 the plan, and decisions pertaining to exemptions pursuant to

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436 subsection (1) must be guided by the plan.

437 Section 13. Paragraph (e) of subsection (2) of section
438 1013.385, Florida Statutes, is amended to read:

439 1013.385 School district construction flexibility.—

440 (2) A resolution adopted under this section may propose
441 implementation of exceptions to requirements of the uniform
442 statewide building code for the planning and construction of
443 public educational and ancillary plants adopted pursuant to ss.
444 553.73 and 1013.37 relating to:

445 (e) Any other provisions that limit the ability of a school
446 to operate in a facility on the same basis as a charter school
447 pursuant to s. 1002.33(18) so long as the county ~~regional~~
448 ~~planning council~~ determines that there is sufficient shelter
449 capacity within the school district as documented in the
450 Statewide Emergency Shelter Plan.

451 Section 14. Subsection (4) of section 1013.74, Florida
452 Statutes, is amended to read:

453 1013.74 University authorization for fixed capital outlay
454 projects.—

455 (4) The university board of trustees shall, in consultation
456 with local and state emergency management agencies, assess
457 existing facilities to identify the extent to which each campus
458 has public hurricane evacuation shelter space. The board shall
459 submit to the Governor and the Legislature by August 1 of each
460 year a 5-year capital improvements program that identifies new
461 or retrofitted facilities that will incorporate enhanced
462 hurricane resistance standards and that can be used as public
463 hurricane evacuation shelters. Enhanced hurricane resistance
464 standards include fixed passive protection for window and door

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465 applications to provide mitigation protection, security
466 protection with egress, and energy efficiencies that meet
467 standards required in the 130-mile-per-hour wind zone areas. The
468 board must also submit proposed facility retrofit projects to
469 the Division of Emergency Management for assessment and
470 inclusion in the annual report prepared in accordance with s.
471 252.385(3). Until a county ~~regional planning council~~ region in
472 which a campus is located has sufficient public hurricane
473 evacuation shelter space, any campus building for which a design
474 contract is entered into subsequent to July 1, 2001, and which
475 has been identified by the board, with the concurrence of the
476 local emergency management agency or the Division of Emergency
477 Management, to be appropriate for use as a public hurricane
478 evacuation shelter, must be constructed in accordance with
479 public shelter standards.

480 Section 15. Paragraph (f) of subsection (1) of section
481 68.082, Florida Statutes, is amended to read:

482 68.082 False claims against the state; definitions;
483 liability.—

484 (1) As used in this section, the term:

485 (f) "State" means the government of the state or any
486 department, division, bureau, commission, regional ~~planning~~
487 agency, board, district, authority, agency, or other
488 instrumentality of the state.

489 Section 16. Paragraph (a) of subsection (1) of section
490 120.52, Florida Statutes, is amended to read:

491 120.52 Definitions.—As used in this act:

492 (1) "Agency" means the following officers or governmental
493 entities if acting pursuant to powers other than those derived

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494 from the constitution:

495 (a) The Governor; each state officer and state department,
496 and each departmental unit described in s. 20.04; the Board of
497 Governors of the State University System; the Commission on
498 Ethics; the Fish and Wildlife Conservation Commission; a
499 regional water supply authority; ~~a regional planning agency~~; a
500 multicounty special district, but only if a majority of its
501 governing board is comprised of nonelected persons; educational
502 units; and each entity described in chapters 163, 373, 380, and
503 582 ~~and s. 186.504~~.

504

505 This definition does not include a municipality or legal entity
506 created solely by a municipality; a legal entity or agency
507 created in whole or in part pursuant to part II of chapter 361;
508 a metropolitan planning organization created pursuant to s.
509 339.175; a separate legal or administrative entity created
510 pursuant to s. 339.175 of which a metropolitan planning
511 organization is a member; an expressway authority pursuant to
512 chapter 348 or any transportation authority or commission under
513 chapter 343 or chapter 349; or a legal or administrative entity
514 created by an interlocal agreement pursuant to s. 163.01(7),
515 unless any party to such agreement is otherwise an agency as
516 defined in this subsection.

517 Section 17. Subsection (4) of section 120.525, Florida
518 Statutes, is amended to read:

519 120.525 Meetings, hearings, and workshops.—

520 ~~(4) For purposes of establishing a quorum at meetings of~~
521 ~~regional planning councils that cover three or more counties, a~~
522 ~~voting member who appears via telephone, real-time~~

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523 ~~videoconferencing, or similar real-time electronic or video~~
524 ~~communication that is broadcast publicly at the meeting location~~
525 ~~may be counted toward the quorum requirement if at least one-~~
526 ~~third of the voting members of the regional planning council are~~
527 ~~physically present at the meeting location. A member must~~
528 ~~provide oral, written, or electronic notice of his or her intent~~
529 ~~to appear via telephone, real-time videoconferencing, or similar~~
530 ~~real-time electronic or video communication to the regional~~
531 ~~planning council at least 24 hours before the scheduled meeting.~~

532 Section 18. Subsection (9) of section 120.65, Florida
533 Statutes, is amended to read:

534 120.65 Administrative law judges.—

535 (9) The division shall be reimbursed for administrative law
536 judge services and travel expenses by the following entities:
537 water management districts, ~~regional planning councils~~, school
538 districts, community colleges, the Division of Florida Colleges,
539 state universities, the Board of Governors of the State
540 University System, the State Board of Education, the Florida
541 School for the Deaf and the Blind, and the Commission for
542 Independent Education. These entities shall contract with the
543 division to establish a contract rate for services and
544 provisions for reimbursement of administrative law judge travel
545 expenses and video teleconferencing expenses attributable to
546 hearings conducted on behalf of these entities. The contract
547 rate must be based on a total-cost-recovery methodology.

548 Section 19. Subsections (41) and (45) of section 163.3164,
549 Florida Statutes, are amended to read:

550 163.3164 Community Planning Act; definitions.—As used in
551 this act:

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552 ~~(41) "Regional planning agency" means the council created~~
553 ~~pursuant to chapter 186.~~

554 (44)~~(45)~~ "Structure" has the same meaning as in s.
555 380.031(18) ~~s. 380.031(19)~~.

556 Section 20. Paragraph (h) of subsection (6) of section
557 163.3177, Florida Statutes, is amended to read:

558 163.3177 Required and optional elements of comprehensive
559 plan; studies and surveys.—

560 (6) In addition to the requirements of subsections (1)-(5),
561 the comprehensive plan shall include the following elements:

562 (h)1. An intergovernmental coordination element showing
563 relationships and stating principles and guidelines to be used
564 in coordinating the adopted comprehensive plan with the plans of
565 school boards, regional water supply authorities, and other
566 units of local government providing services but not having
567 regulatory authority over the use of land, with the
568 comprehensive plans of adjacent municipalities, the county,
569 adjacent counties, or the region, with the state comprehensive
570 plan and with the applicable regional water supply plan approved
571 pursuant to s. 373.709, as the case may require and as such
572 adopted plans or plans in preparation may exist. This element of
573 the local comprehensive plan must demonstrate consideration of
574 the particular effects of the local plan, when adopted, upon the
575 development of adjacent municipalities, the county, adjacent
576 counties, or the region, or upon the state comprehensive plan,
577 as the case may require.

578 a. The intergovernmental coordination element must provide
579 procedures for identifying and implementing joint planning
580 areas, especially for the purpose of annexation, municipal

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581 incorporation, and joint infrastructure service areas.

582 b. The intergovernmental coordination element shall provide
583 for a dispute resolution process, ~~as established pursuant to s.~~
584 ~~186.509~~, for bringing intergovernmental disputes to closure in a
585 timely manner.

586 c. The intergovernmental coordination element shall provide
587 for interlocal agreements as established pursuant to s.
588 333.03(1)(b).

589 2. The intergovernmental coordination element shall also
590 state principles and guidelines to be used in coordinating the
591 adopted comprehensive plan with the plans of school boards and
592 other units of local government providing facilities and
593 services but not having regulatory authority over the use of
594 land. In addition, the intergovernmental coordination element
595 must describe joint processes for collaborative planning and
596 decisionmaking on population projections and public school
597 siting, the location and extension of public facilities subject
598 to concurrency, and siting facilities with countywide
599 significance, including locally unwanted land uses whose nature
600 and identity are established in an agreement.

601 3. Within 1 year after adopting their intergovernmental
602 coordination elements, each county, all the municipalities
603 within that county, the district school board, and any unit of
604 local government service providers in that county shall
605 establish by interlocal or other formal agreement executed by
606 all affected entities, the joint processes described in this
607 subparagraph consistent with their adopted intergovernmental
608 coordination elements. The agreement must:

609 a. Ensure that the local government addresses through

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610 coordination mechanisms the impacts of development proposed in
611 the local comprehensive plan upon development in adjacent
612 municipalities, the county, adjacent counties, the region, and
613 the state. The area of concern for municipalities shall include
614 adjacent municipalities, the county, and counties adjacent to
615 the municipality. The area of concern for counties shall include
616 all municipalities within the county, adjacent counties, and
617 adjacent municipalities.

618 b. Ensure coordination in establishing level of service
619 standards for public facilities with any state, regional, or
620 local entity having operational and maintenance responsibility
621 for such facilities.

622 Section 21. Subsection (5) of section 163.3178, Florida
623 Statutes, is amended to read:

624 163.3178 Coastal management.—

625 (5) A ~~The appropriate~~ dispute resolution process ~~provided~~
626 ~~under s. 186.509~~ must be used to reconcile inconsistencies
627 between port master plans and local comprehensive plans. In
628 recognition of the state's commitment to deepwater ports, the
629 state comprehensive plan must include goals, objectives, and
630 policies that establish a statewide strategy for enhancement of
631 existing deepwater ports, ensuring that priority is given to
632 water-dependent land uses. As an incentive for promoting plan
633 consistency, port facilities as defined in s. 315.02(6) on lands
634 owned or controlled by a deepwater port as defined in s.
635 311.09(1), as of the effective date of this act shall not be
636 subject to development-of-regional-impact review provided the
637 port either successfully completes an alternative comprehensive
638 development agreement with a local government pursuant to ss.

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639 163.3220-163.3243 or successfully enters into a development
 640 agreement with the state land planning agency and applicable
 641 local government pursuant to s. 380.032 or, where the port is a
 642 department of a local government, successfully enters into a
 643 development agreement with the state land planning agency
 644 pursuant to s. 380.032. Port facilities as defined in s.
 645 315.02(6) on lands not owned or controlled by a deepwater port
 646 as defined in s. 311.09(1) as of the effective date of this act
 647 shall not be subject to development-of-regional-impact review
 648 provided the port successfully enters into a development
 649 agreement with the state land planning agency and applicable
 650 local government pursuant to s. 380.032 or, where the port is a
 651 department of a local government, successfully enters into a
 652 development agreement with the state land planning agency
 653 pursuant to s. 380.032.

654 Section 22. Paragraph (c) of subsection (1) and paragraph
 655 (b) of subsection (3) of section 163.3184, Florida Statutes, are
 656 amended to read:

657 163.3184 Process for adoption of comprehensive plan or plan
 658 amendment.—

659 (1) DEFINITIONS.—As used in this section, the term:

660 (c) "Reviewing agencies" means:

661 1. The state land planning agency;

662 ~~2. The appropriate regional planning council;~~

663 ~~3. The appropriate water management district;~~

664 3.4. The Department of Environmental Protection;

665 4.5. The Department of State;

666 5.6. The Department of Transportation;

667 6.7. In the case of plan amendments relating to public

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668 schools, the Department of Education;

669 ~~7.8.~~ In the case of plans or plan amendments that affect a
670 military installation listed in s. 163.3175, the commanding
671 officer of the affected military installation;

672 ~~8.9.~~ In the case of county plans and plan amendments, the
673 Fish and Wildlife Conservation Commission and the Department of
674 Agriculture and Consumer Services; and

675 ~~9.10.~~ In the case of municipal plans and plan amendments,
676 the county in which the municipality is located.

677 (3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF
678 COMPREHENSIVE PLAN AMENDMENTS.—

679 (b)1. The local government, after the initial public
680 hearing held pursuant to subsection (11), shall transmit within
681 10 working days the amendment or amendments and appropriate
682 supporting data and analyses to the reviewing agencies. The
683 local governing body shall also transmit a copy of the
684 amendments and supporting data and analyses to any other local
685 government or governmental agency that has filed a written
686 request with the governing body.

687 2. The reviewing agencies and any other local government or
688 governmental agency specified in subparagraph 1. may provide
689 comments regarding the amendment or amendments to the local
690 government. State agencies shall only comment on important state
691 resources and facilities that will be adversely impacted by the
692 amendment if adopted. Comments provided by state agencies shall
693 state with specificity how the plan amendment will adversely
694 impact an important state resource or facility and shall
695 identify measures the local government may take to eliminate,
696 reduce, or mitigate the adverse impacts. Such comments, if not

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697 resolved, may result in a challenge by the state land planning
698 agency to the plan amendment. Agencies and local governments
699 must transmit their comments to the affected local government
700 such that they are received by the local government not later
701 than 30 days after the date on which the agency or government
702 received the amendment or amendments. Reviewing agencies shall
703 also send a copy of their comments to the state land planning
704 agency.

705 3. Comments to the local government from a ~~regional~~
706 ~~planning council~~, county, or municipality shall be limited as
707 follows:

708 a. ~~The regional planning council review and comments shall~~
709 ~~be limited to adverse effects on regional resources or~~
710 ~~facilities identified in the strategic regional policy plan and~~
711 ~~extrajurisdictional impacts that would be inconsistent with the~~
712 ~~comprehensive plan of any affected local government within the~~
713 ~~region. A regional planning council may not review and comment~~
714 ~~on a proposed comprehensive plan amendment prepared by such~~
715 ~~council unless the plan amendment has been changed by the local~~
716 ~~government subsequent to the preparation of the plan amendment~~
717 ~~by the regional planning council.~~

718 ~~b.~~ County comments shall be in the context of the
719 relationship and effect of the proposed plan amendments on the
720 county plan.

721 ~~b.c.~~ Municipal comments shall be in the context of the
722 relationship and effect of the proposed plan amendments on the
723 municipal plan.

724 ~~c.d.~~ Military installation comments shall be provided in
725 accordance with s. 163.3175.

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726 4. Comments to the local government from state agencies
727 shall be limited to the following subjects as they relate to
728 important state resources and facilities that will be adversely
729 impacted by the amendment if adopted:

730 a. The Department of Environmental Protection shall limit
731 its comments to the subjects of air and water pollution;
732 wetlands and other surface waters of the state; federal and
733 state-owned lands and interest in lands, including state parks,
734 greenways and trails, and conservation easements; solid waste;
735 water and wastewater treatment; and the Everglades ecosystem
736 restoration.

737 b. The Department of State shall limit its comments to the
738 subjects of historic and archaeological resources.

739 c. The Department of Transportation shall limit its
740 comments to issues within the agency's jurisdiction as it
741 relates to transportation resources and facilities of state
742 importance.

743 d. The Fish and Wildlife Conservation Commission shall
744 limit its comments to subjects relating to fish and wildlife
745 habitat and listed species and their habitat.

746 e. The Department of Agriculture and Consumer Services
747 shall limit its comments to the subjects of agriculture,
748 forestry, and aquaculture issues.

749 f. The Department of Education shall limit its comments to
750 the subject of public school facilities.

751 g. The appropriate water management district shall limit
752 its comments to flood protection and floodplain management,
753 wetlands and other surface waters, and regional water supply.

754 h. The state land planning agency shall limit its comments

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755 to important state resources and facilities outside the
756 jurisdiction of other commenting state agencies and may include
757 comments on countervailing planning policies and objectives
758 served by the plan amendment that should be balanced against
759 potential adverse impacts to important state resources and
760 facilities.

761 Section 23. Subsection (2) of section 163.3245, Florida
762 Statutes, is amended to read:

763 163.3245 Sector plans.—

764 (2) The ~~Upon the request of a~~ local government having
765 jurisdiction, ~~the applicable regional planning council~~ shall
766 conduct a scoping meeting with affected local governments and
767 those agencies identified in s. 163.3184(1)(c) before
768 preparation of the sector plan. The purpose of this meeting is
769 to assist the state land planning agency ~~and the local~~
770 ~~government~~ in the identification of the relevant planning issues
771 to be addressed and the data and resources available to assist
772 in the preparation of the sector plan. ~~If a scoping meeting is~~
773 ~~conducted, the regional planning council shall make written~~
774 ~~recommendations to the state land planning agency and affected~~
775 ~~local governments on the issues requested by the local~~
776 ~~government.~~ The scoping meeting shall be noticed and open to the
777 public. If the entire planning area proposed for the sector plan
778 is within the jurisdiction of two or more local governments,
779 some or all of them may enter into a joint planning agreement
780 pursuant to s. 163.3171 with respect to the geographic area to
781 be subject to the sector plan, the planning issues that will be
782 emphasized, procedures for intergovernmental coordination to
783 address extrajurisdictional impacts, supporting application

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784 materials including data and analysis, procedures for public
785 participation, or other issues.

786 Section 24. Paragraph (i) of subsection (2) of section
787 163.568, Florida Statutes, is amended to read:

788 163.568 Purposes and powers.—

789 (2) The authority is granted the authority to exercise all
790 powers necessary, appurtenant, convenient, or incidental to the
791 carrying out of the aforesaid purposes, including, but not
792 limited to, the following rights and powers:

793 (i) To develop transportation plans, and to coordinate its
794 planning and programs with those of appropriate municipal,
795 county, and state agencies and other political subdivisions of
796 the state. All transportation plans are subject to review and
797 approval by the Department of Transportation ~~and by the regional~~
798 ~~planning agency, if any,~~ for consistency with programs or
799 planning for the area and region.

800 Section 25. Subsection (2) of section 164.1031, Florida
801 Statutes, is amended to read:

802 164.1031 Definitions.—For purposes of this act:

803 (2) "Regional governmental entities" includes ~~regional~~
804 ~~planning councils,~~ metropolitan planning organizations, water
805 supply authorities that include more than one county, local
806 health councils, water management districts, and other regional
807 entities that are authorized and created by general or special
808 law that have duties or responsibilities extending beyond the
809 jurisdiction of a single county.

810 Section 26. Subsection (5) of section 186.003, Florida
811 Statutes, is amended to read:

812 186.003 Definitions; ss. 186.001-186.031, 186.801-186.901.—

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813 As used in ss. 186.001-186.031 and 186.801-186.901, the term:

814 ~~(5) "Regional planning agency" means the regional planning~~
815 ~~council created pursuant to ss. 186.501-186.515 to exercise~~
816 ~~responsibilities under ss. 186.001-186.031 and 186.801-186.901~~
817 ~~in a particular region of the state.~~

818 Section 27. Subsection (7) of section 186.006, Florida
819 Statutes, is amended to read:

820 186.006 Powers and responsibilities of Executive Office of
821 the Governor.—For the purpose of establishing consistency and
822 uniformity in the state and regional planning process and in
823 order to ensure that the intent of ss. 186.001-186.031 and
824 186.801-186.901 is accomplished, the Executive Office of the
825 Governor shall:

826 (7) Act as the state clearinghouse ~~and designate the~~
827 ~~regional planning councils as the regional data clearinghouses.~~

828 Section 28. Subsection (1) of section 186.008, Florida
829 Statutes, is amended to read:

830 186.008 State comprehensive plan; revision;
831 implementation.—

832 (1) On or before October 1 of every odd-numbered year, the
833 Executive Office of the Governor shall prepare, and the Governor
834 shall recommend to the Administration Commission, any proposed
835 revisions to the state comprehensive plan deemed necessary. The
836 Governor shall transmit his or her recommendations and
837 explanation as required by s. 186.007(8). Copies shall also be
838 provided to each state agency, ~~to each regional planning agency,~~
839 to any other unit of government that requests a copy, and to any
840 member of the public who requests a copy.

841 Section 29. Section 186.803, Florida Statutes, is amended

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842 to read:

843 186.803 Use of geographic information by governmental
844 entities.—When state agencies, water management districts,
845 ~~regional planning councils,~~ local governments, and other
846 governmental entities use maps, including geographic information
847 maps and other graphic information materials, as the source of
848 data for planning or any other purposes, they must take into
849 account that the accuracy and reliability of such maps and data
850 may be limited by various factors, including the scale of the
851 maps, the timeliness and accuracy of the underlying information,
852 the availability of more accurate site-specific information, and
853 the presence or absence of ground truthing or peer review of the
854 underlying information contained in such maps and other graphic
855 information. This section does not apply to maps adopted
856 pursuant to part II of chapter 163.

857 Section 30. Paragraph (b) of subsection (20) of section
858 187.201, Florida Statutes, is amended to read:

859 187.201 State Comprehensive Plan adopted.—The Legislature
860 hereby adopts as the State Comprehensive Plan the following
861 specific goals and policies:

862 (20) GOVERNMENTAL EFFICIENCY.—

863 (b) *Policies*.—

864 1. Encourage greater cooperation between, among, and within
865 all levels of Florida government through the use of appropriate
866 interlocal agreements and mutual participation for mutual
867 benefit.

868 2. Allow the creation of independent special taxing
869 districts which have uniform general law standards and
870 procedures and do not overburden other governments and their

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871 taxpayers while preventing the proliferation of independent
872 special taxing districts which do not meet these standards.

873 3. Encourage the use of municipal services taxing units and
874 other dependent special districts to provide needed
875 infrastructure where the fiscal capacity exists to support such
876 an approach.

877 4. Eliminate regulatory activities that are not tied to
878 specific public and natural resource protection needs.

879 5. Eliminate needless duplication of, and promote
880 cooperation in, governmental activities between, among, and
881 within state, regional, county, city, and other governmental
882 units.

883 6. Ensure, wherever possible, that the geographic
884 boundaries of water management districts, ~~regional planning~~
885 ~~councils,~~ and substate districts of the executive departments
886 shall be coterminous for related state or agency programs and
887 functions and promote interagency agreements in order to reduce
888 the number of districts ~~and councils~~ with jurisdiction in any
889 one county.

890 7. Encourage and provide for the restructuring of city and
891 county political jurisdictions with the goals of greater
892 efficiency and high-quality and more equitable and responsive
893 public service programs.

894 8. Replace multiple, small scale, economically inefficient
895 local public facilities with regional facilities where they are
896 proven to be more economical, particularly in terms of energy
897 efficiency, and yet can retain the quality of service expected
898 by the public.

899 9. Encourage greater efficiency and economy at all levels

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900 of government through adoption and implementation of effective
901 records management, information management, and evaluation
902 procedures.

903 10. Throughout government, establish citizen management
904 efficiency groups and internal management groups to make
905 recommendations for greater operating efficiencies and improved
906 management practices.

907 11. Encourage governments to seek outside contracting on a
908 competitive-bid basis when cost-effective and appropriate.

909 12. Discourage undue expansion of state government and make
910 every effort to streamline state government in a cost-effective
911 manner.

912 13. Encourage joint venture solutions to mutual problems
913 between levels of government and private enterprise.

914 Section 31. Paragraph (c) of subsection (1) and subsection
915 (2) of section 218.32, Florida Statutes, are amended to read:

916 218.32 Annual financial reports; local governmental
917 entities.—

918 (1)

919 (c) Each ~~regional planning council created under s.~~
920 ~~186.504, each~~ local government finance commission, board, or
921 council, and each municipal power corporation created as a
922 separate legal or administrative entity by interlocal agreement
923 under s. 163.01(7) shall submit to the department a copy of its
924 audit report and an annual financial report for the previous
925 fiscal year in a format prescribed by the department.

926 (2) The department shall annually by December 1 file a
927 verified report with the Governor, the Legislature, the Auditor
928 General, and the Special District Accountability Program of the

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929 Department of Economic Opportunity showing the revenues, both
930 locally derived and derived from intergovernmental transfers,
931 and the expenditures of each local governmental entity, ~~regional~~
932 ~~planning council~~, local government finance commission, and
933 municipal power corporation that is required to submit an annual
934 financial report. In preparing the verified report, the
935 department may request additional information from the local
936 governmental entity. The information requested must be provided
937 to the department within 45 days after the request. If the local
938 governmental entity does not comply with the request, the
939 department shall notify the Legislative Auditing Committee,
940 which may take action pursuant to s. 11.40(2). The report must
941 include, but is not limited to:

942 (a) The total revenues and expenditures of each local
943 governmental entity that is a component unit included in the
944 annual financial report of the reporting entity.

945 (b) The amount of outstanding long-term debt by each local
946 governmental entity. For purposes of this paragraph, the term
947 "long-term debt" means any agreement or series of agreements to
948 pay money, which, at inception, contemplate terms of payment
949 exceeding 1 year in duration.

950 Section 32. Paragraph (a) of subsection (7) of section
951 258.501, Florida Statutes, is amended to read:

952 258.501 Myakka River; wild and scenic segment.—

953 (7) MANAGEMENT COORDINATING COUNCIL.—

954 (a) Upon designation, the department shall create a
955 permanent council to provide interagency and intergovernmental
956 coordination in the management of the river. The coordinating
957 council shall be composed of one representative appointed from

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958 each of the following: the department, the Department of
959 Transportation, the Fish and Wildlife Conservation Commission,
960 the Department of Economic Opportunity, the Florida Forest
961 Service of the Department of Agriculture and Consumer Services,
962 the Division of Historical Resources of the Department of State,
963 ~~the Tampa Bay Regional Planning Council,~~ the Southwest Florida
964 Water Management District, ~~the Southwest Florida Regional~~
965 ~~Planning Council,~~ Manatee County, Sarasota County, Charlotte
966 County, the City of Sarasota, the City of North Port,
967 agricultural interests, environmental organizations, and any
968 others deemed advisable by the department.

969 Section 33. Subsections (1) and (3) of section 260.0142,
970 Florida Statutes, are amended to read:

971 260.0142 Florida Greenways and Trails Council; composition;
972 powers and duties.—

973 (1) There is created within the department the Florida
974 Greenways and Trails Council which shall advise the department
975 in the execution of the department's powers and duties under
976 this chapter. The council shall be composed of 19 ~~20~~ members,
977 consisting of:

978 (a)1. Five members appointed by the Governor, with two
979 members representing the trail user community, two members
980 representing the greenway user community, and one member
981 representing private landowners.

982 2. Three members appointed by the President of the Senate,
983 with one member representing the trail user community and two
984 members representing the greenway user community.

985 3. Three members appointed by the Speaker of the House of
986 Representatives, with two members representing the trail user

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987 community and one member representing the greenway user
988 community.

989

990 Those eligible to represent the trail user community shall be
991 chosen from, but not be limited to, paved trail users, hikers,
992 off-road bicyclists, users of off-highway vehicles, paddlers,
993 equestrians, disabled outdoor recreational users, and commercial
994 recreational interests. Those eligible to represent the greenway
995 user community shall be chosen from, but not be limited to,
996 conservation organizations, nature study organizations, and
997 scientists and university experts.

998 (b) The 8 ~~9~~ remaining members shall include:

999 1. The Secretary of Environmental Protection or a designee.

1000 2. The executive director of the Fish and Wildlife
1001 Conservation Commission or a designee.

1002 3. The Secretary of Transportation or a designee.

1003 4. The Director of the Florida Forest Service of the
1004 Department of Agriculture and Consumer Services or a designee.

1005 5. The director of the Division of Historical Resources of
1006 the Department of State or a designee.

1007 6. A representative of the water management districts.

1008 Membership on the council shall rotate among the five districts.
1009 The districts shall determine the order of rotation.

1010 7. A representative of a federal land management agency.
1011 The Secretary of Environmental Protection shall identify the
1012 appropriate federal agency and request designation of a
1013 representative from the agency to serve on the council.

1014 ~~8. A representative of the regional planning councils to be~~
1015 ~~appointed by the Secretary of Environmental Protection.~~

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1016 ~~Membership on the council shall rotate among the seven regional~~
1017 ~~planning councils. The regional planning councils shall~~
1018 ~~determine the order of rotation.~~

1019 ~~9.~~ A representative of local governments to be appointed by
1020 the Secretary of Environmental Protection. Membership shall
1021 alternate between a county representative and a municipal
1022 representative.

1023 (3) The term of all appointees shall be for 2 years unless
1024 otherwise specified. The appointees of the Governor, the
1025 President of the Senate, and the Speaker of the House of
1026 Representatives may be reappointed for no more than four
1027 consecutive terms. The representatives of the water management
1028 ~~districts, regional planning councils,~~ and local governments may
1029 be reappointed for no more than two consecutive terms. All other
1030 appointees shall serve until replaced.

1031 Section 34. Paragraph (a) of subsection (6) of section
1032 288.0656, Florida Statutes, is amended to read:

1033 288.0656 Rural Economic Development Initiative.—

1034 (6) (a) By August 1 of each year, the head of each of the
1035 following agencies and organizations shall designate a deputy
1036 secretary or higher-level staff person from within the agency or
1037 organization to serve as the REDI representative for the agency
1038 or organization:

- 1039 1. The Department of Transportation.
- 1040 2. The Department of Environmental Protection.
- 1041 3. The Department of Agriculture and Consumer Services.
- 1042 4. The Department of State.
- 1043 5. The Department of Health.
- 1044 6. The Department of Children and Families.

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- 1045 7. The Department of Corrections.
- 1046 8. The Department of Education.
- 1047 9. The Department of Juvenile Justice.
- 1048 10. The Fish and Wildlife Conservation Commission.
- 1049 11. Each water management district.
- 1050 12. Enterprise Florida, Inc.
- 1051 13. CareerSource Florida, Inc.
- 1052 14. VISIT Florida.
- 1053 ~~15. The Florida Regional Planning Council Association.~~
- 1054 ~~16.~~ The Agency for Health Care Administration.
- 1055 16.17. The Institute of Food and Agricultural Sciences
- 1056 (IFAS).

1057
 1058 An alternate for each designee shall also be chosen, and the
 1059 names of the designees and alternates shall be sent to the
 1060 executive director of the department.

1061 Section 35. Subsection (2), paragraph (c) of subsection
 1062 (4), and subsections (7), (8), and (9) of section 288.975,
 1063 Florida Statutes, are amended to read:

1064 288.975 Military base reuse plans.—

1065 (2) As used in this section, the term:

1066 (a) "Affected local government" means a local government
 1067 adjoining the host local government and any other unit of local
 1068 government that is not a host local government but that is
 1069 identified in a proposed military base reuse plan as providing,
 1070 operating, or maintaining one or more public facilities as
 1071 defined in s. 163.3164 on lands within or serving a military
 1072 base designated for closure by the Federal Government.

1073 (b) "Affected person" means a host local government; an

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1074 affected local government; any state, regional, or federal
1075 agency; or a person who resides, owns property, or owns or
1076 operates a business within the boundaries of a host local
1077 government or affected local government.

1078 (c) "Base reuse activities" means development as defined in
1079 s. 380.04 on a military base designated for closure or closed by
1080 the Federal Government.

1081 (d) "Host local government" means a local government within
1082 the jurisdiction of which all or part of a military base
1083 designated for closure by the Federal Government is located.
1084 This shall not include a county if no part of a military base is
1085 located in its unincorporated area.

1086 (e) "Military base" means a military base designated for
1087 closure or closed by the Federal Government.

1088 (f) ~~"Regional policy plan" means a strategic regional~~
1089 ~~policy plan that has been adopted by rule by a regional planning~~
1090 ~~council pursuant to s. 186.508.~~

1091 ~~(g)~~ "State comprehensive plan" means the plan as provided
1092 in chapter 187.

1093 (4)

1094 (c) Military base reuse plans shall identify projected
1095 impacts to significant regional resources and natural resources
1096 ~~of regional significance as identified by applicable regional~~
1097 ~~planning councils in their regional policy plans~~ and the actions
1098 that shall be taken to mitigate such impacts.

1099 (7) A military base reuse plan shall be consistent with the
1100 comprehensive plan of the host local government and shall not
1101 conflict with the comprehensive plan of any affected local
1102 governments. A military base reuse plan shall be consistent with

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1103 the nonprocedural requirements of part II of chapter 163 and
1104 rules adopted thereunder, ~~applicable regional policy plans,~~ and
1105 the state comprehensive plan.

1106 (8) At the request of a host local government, the
1107 department shall coordinate a presubmission workshop concerning
1108 a military base reuse plan within the boundaries of the host
1109 jurisdiction. Agencies that shall participate in the workshop
1110 shall include any affected local governments; the Department of
1111 Environmental Protection; the department; the Department of
1112 Transportation; the Department of Health; the Department of
1113 Children and Families; the Department of Juvenile Justice; the
1114 Department of Agriculture and Consumer Services; the Department
1115 of State; the Fish and Wildlife Conservation Commission; and any
1116 applicable water management districts ~~and regional planning~~
1117 ~~councils~~. The purposes of the workshop shall be to assist the
1118 host local government to understand issues of concern to the
1119 above listed entities pertaining to the military base site and
1120 to identify opportunities for better coordination of planning
1121 and review efforts with the information and analyses generated
1122 by the federal environmental impact statement process and the
1123 federal community base reuse planning process.

1124 (9) If a host local government elects to use the optional
1125 provisions of this act, it shall, no later than 12 months after
1126 notifying the agencies of its intent pursuant to subsection (3)
1127 either:

1128 (a) Send a copy of the proposed military base reuse plan
1129 for review to any affected local governments; the Department of
1130 Environmental Protection; the department; the Department of
1131 Transportation; the Department of Health; the Department of

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1132 Children and Families; the Department of Juvenile Justice; the
1133 Department of Agriculture and Consumer Services; the Department
1134 of State; the Fish and Wildlife Conservation Commission; and any
1135 applicable water management districts; and regional planning
1136 ~~councils~~, or

1137 (b) Petition the department for an extension of the
1138 deadline for submitting a proposed reuse plan. Such an extension
1139 request must be justified by changes or delays in the closure
1140 process by the federal Department of Defense or for reasons
1141 otherwise deemed to promote the orderly and beneficial planning
1142 of the subject military base reuse. The department may grant
1143 extensions to the required submission date of the reuse plan.

1144 Section 36. Paragraph (b) of subsection (3) of section
1145 335.188, Florida Statutes, as amended by section 91 of chapter
1146 2020-114, Laws of Florida, is amended to read:

1147 335.188 Access management standards; access control
1148 classification system; criteria.-

1149 (3) The control classification system shall be developed
1150 consistent with the following:

1151 (b) The access control classification system shall be
1152 developed in cooperation with counties, municipalities, the
1153 state land planning agency, ~~regional planning councils~~,
1154 metropolitan planning organizations, and other local
1155 governmental entities.

1156 Section 37. Upon the expiration and reversion of the
1157 amendments made to section 338.2278, Florida Statutes, pursuant
1158 to section 91 of chapter 2020-114, Laws of Florida, paragraph
1159 (c) of subsection (3) of section 338.2278, Florida Statutes, is
1160 amended to read:

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1161 338.2278 Multi-use Corridors of Regional Economic
1162 Significance Program.—

1163 (3)

1164 (c)1. During the project development phase, the department
1165 shall utilize an inclusive, consensus-building mechanism for
1166 each proposed multiuse corridor identified in subsection (2).
1167 For each multiuse corridor identified in subsection (2), the
1168 department shall convene a corridor task force composed of
1169 appropriate representatives of:

1170 a. The Department of Environmental Protection;

1171 b. The Department of Economic Opportunity;

1172 c. The Department of Education;

1173 d. The Department of Health;

1174 e. The Fish and Wildlife Conservation Commission;

1175 f. The Department of Agriculture and Consumer Services;

1176 g. The local water management district or districts;

1177 h. A local government official from each local government
1178 within a proposed corridor;

1179 i. Metropolitan planning organizations;

1180 j. ~~Regional planning councils;~~

1181 ~~k.~~ The community, who may be an individual or a member of a
1182 nonprofit community organization, as determined by the
1183 department; and

1184 k.1. Appropriate environmental groups, such as 1000 Friends
1185 of Florida, Audubon Florida, the Everglades Foundation, The
1186 Nature Conservancy, the Florida Sierra Club, and the Florida
1187 Wildlife Corridor, as determined by the department.

1188 2. The secretary of the department shall appoint the
1189 members of the respective corridor task forces by August 1,

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1190 2019.

1191 3. Each corridor task force shall coordinate with the
1192 department on pertinent aspects of corridor analysis, including
1193 accommodation or colocation of multiple types of infrastructure,
1194 addressing issues such as those identified in subsection (1),
1195 within or adjacent to the corridor.

1196 4. Each corridor task force shall evaluate the need for,
1197 and the economic and environmental impacts of, hurricane
1198 evacuation impacts of, and land use impacts of, the related
1199 corridor as identified in subsection (2).

1200 5. Each corridor task force shall hold a public meeting in
1201 accordance with chapter 286 in each local government
1202 jurisdiction in which a project within an identified corridor is
1203 being considered.

1204 6. To the maximum extent feasible, the department shall
1205 adhere to the recommendations of the task force created for each
1206 corridor in the design of the multiple modes of transportation
1207 and multiple types of infrastructure associated with the
1208 corridor. The task force for each corridor may consider and
1209 recommend innovative concepts to combine right-of-way
1210 acquisition with the acquisition of lands or easements to
1211 facilitate environmental mitigation or ecosystem, wildlife
1212 habitat, or water quality protection or restoration. The
1213 department, in consultation with the Department of Environmental
1214 Protection, may incorporate those features into each corridor
1215 during the project development phase.

1216 7. The Southwest-Central Florida Connector corridor task
1217 force shall:

1218 a. Address the impacts of the construction of a project

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1219 within the corridor on panther and other critical wildlife
1220 habitat and evaluate in its final report the need for
1221 acquisition of lands for state conservation or as mitigation for
1222 project construction; and

1223 b. Evaluate wildlife crossing design features to protect
1224 panther and other critical wildlife habitat corridor
1225 connections.

1226 8. The Suncoast Connector corridor task force and the
1227 Northern Turnpike Connector corridor task force shall evaluate
1228 design features and the need for acquisition of state
1229 conservation lands that mitigate the impact of project
1230 construction within the respective corridors on:

1231 a. The water quality and quantity of springs, rivers, and
1232 aquifer recharge areas;

1233 b. Agricultural land uses; and

1234 c. Wildlife habitat.

1235 9. Each corridor task force shall issue its evaluations in
1236 a final report that must be submitted to the Governor, the
1237 President of the Senate, and the Speaker of the House of
1238 Representatives by November 15, 2020 ~~October 1, 2020~~.

1239 10. The department shall provide affected local governments
1240 with a copy of the applicable task force report and project
1241 alignments. Not later than December 31, 2023, a local government
1242 that has an interchange within its jurisdiction shall review the
1243 applicable task force report and its local comprehensive plan as
1244 adopted under chapter 163. The local government review must
1245 include consideration of whether the area in and around the
1246 interchange contains appropriate land uses and natural resource
1247 protections and whether the comprehensive plan should be amended

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1248 to provide such appropriate uses and protections.

1249 Section 38. Subsection (4) of section 339.155, Florida
1250 Statutes, is amended to read:

1251 339.155 Transportation planning.—

1252 (4) ADDITIONAL TRANSPORTATION PLANS.—

1253 (a) Upon request by local governmental entities, the
1254 department may in its discretion develop and design
1255 transportation corridors, arterial and collector streets,
1256 vehicular parking areas, and other support facilities which are
1257 consistent with the plans of the department for major
1258 transportation facilities. The department may render to local
1259 governmental entities or their planning agencies such technical
1260 assistance and services as are necessary so that local plans and
1261 facilities are coordinated with the plans and facilities of the
1262 department.

1263 (b) ~~Each regional planning council, as provided for in s.~~
1264 ~~186.504, or any successor agency thereto, shall develop, as an~~
1265 ~~element of its strategic regional policy plan, transportation~~
1266 ~~goals and policies. The transportation goals and policies must~~
1267 ~~be prioritized to comply with the prevailing principles provided~~
1268 ~~in subsection (1) and s. 334.046(1). The transportation goals~~
1269 ~~and policies shall be consistent, to the maximum extent~~
1270 ~~feasible, with the goals and policies of the metropolitan~~
1271 ~~planning organization and the Florida Transportation Plan. The~~
1272 ~~transportation goals and policies of the regional planning~~
1273 ~~council will be advisory only and shall be submitted to the~~
1274 ~~department and any affected metropolitan planning organization~~
1275 ~~for their consideration and comments. Metropolitan planning~~
1276 ~~organization plans and other local transportation plans shall be~~

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1277 ~~developed consistent, to the maximum extent feasible, with the~~
1278 ~~regional transportation goals and policies.~~

1279 ~~(e)~~ Regional transportation plans may be developed in
1280 regional transportation areas in accordance with an interlocal
1281 agreement entered into pursuant to s. 163.01 by two or more
1282 contiguous metropolitan planning organizations; one or more
1283 metropolitan planning organizations and one or more contiguous
1284 counties, none of which is a member of a metropolitan planning
1285 organization; a multicounty regional transportation authority
1286 created by or pursuant to law; two or more contiguous counties
1287 that are not members of a metropolitan planning organization; or
1288 metropolitan planning organizations comprised of three or more
1289 counties.

1290 (c)~~(d)~~ The interlocal agreement must, at a minimum,
1291 identify the entity that will coordinate the development of the
1292 regional transportation plan; delineate the boundaries of the
1293 regional transportation area; provide the duration of the
1294 agreement and specify how the agreement may be terminated,
1295 modified, or rescinded; describe the process by which the
1296 regional transportation plan will be developed; and provide how
1297 members of the entity will resolve disagreements regarding
1298 interpretation of the interlocal agreement or disputes relating
1299 to the development or content of the regional transportation
1300 plan. Such interlocal agreement shall become effective upon its
1301 recordation in the official public records of each county in the
1302 regional transportation area.

1303 (d)~~(e)~~ The regional transportation plan developed pursuant
1304 to this section must, at a minimum, identify regionally
1305 significant transportation facilities located within a regional

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1306 transportation area and contain a prioritized list of regionally
 1307 significant projects. The projects shall be adopted into the
 1308 capital improvements schedule of the local government
 1309 comprehensive plan pursuant to s. 163.3177(3).

1310 Section 39. Paragraph (g) of subsection (6) of section
 1311 339.175, Florida Statutes, is amended to read:

1312 339.175 Metropolitan planning organization.—

1313 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
 1314 privileges, and authority of an M.P.O. are those specified in
 1315 this section or incorporated in an interlocal agreement
 1316 authorized under s. 163.01. Each M.P.O. shall perform all acts
 1317 required by federal or state laws or rules, now and subsequently
 1318 applicable, which are necessary to qualify for federal aid. It
 1319 is the intent of this section that each M.P.O. shall be involved
 1320 in the planning and programming of transportation facilities,
 1321 including, but not limited to, airports, intercity and high-
 1322 speed rail lines, seaports, and intermodal facilities, to the
 1323 extent permitted by state or federal law.

1324 (g) Each M.P.O. shall have an executive or staff director
 1325 who reports directly to the M.P.O. governing board for all
 1326 matters regarding the administration and operation of the M.P.O.
 1327 and any additional personnel as deemed necessary. The executive
 1328 director and any additional personnel may be employed either by
 1329 an M.P.O. or by another governmental entity, such as a county,
 1330 or city, ~~or regional planning council,~~ that has a staff services
 1331 agreement signed and in effect with the M.P.O. Each M.P.O. may
 1332 enter into contracts with local or state agencies, private
 1333 planning firms, private engineering firms, or other public or
 1334 private entities to accomplish its transportation planning and

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1335 programming duties and administrative functions.

1336 Section 40. Subsections (3) and (4) of section 339.63,
1337 Florida Statutes, are amended to read:

1338 339.63 System facilities designated; additions and
1339 deletions.—

1340 (3) After the initial designation of the Strategic
1341 Intermodal System under subsection (1), the department shall, in
1342 coordination with the metropolitan planning organizations, local
1343 governments, ~~regional planning councils~~, transportation
1344 providers, and affected public agencies, add facilities to or
1345 delete facilities from the Strategic Intermodal System described
1346 in paragraphs (2)(b) and (c) based upon criteria adopted by the
1347 department.

1348 (4) After the initial designation of the Strategic
1349 Intermodal System under subsection (1), the department shall, in
1350 coordination with the metropolitan planning organizations, local
1351 governments, ~~regional planning councils~~, transportation
1352 providers, and affected public agencies, add facilities to or
1353 delete facilities from the Strategic Intermodal System described
1354 in paragraph (2)(a) based upon criteria adopted by the
1355 department. However, an airport that is designated as a reliever
1356 airport to a Strategic Intermodal System airport which has at
1357 least 75,000 itinerant operations per year, has a runway length
1358 of at least 5,500 linear feet, is capable of handling aircraft
1359 weighing at least 60,000 pounds with a dual wheel configuration
1360 which is served by at least one precision instrument approach,
1361 and serves a cluster of aviation-dependent industries, shall be
1362 designated as part of the Strategic Intermodal System by the
1363 Secretary of Transportation upon the request of a reliever

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1364 airport meeting this criteria.

1365 Section 41. Subsection (1) and paragraph (a) of subsection
1366 (3) of section 339.64, Florida Statutes, are amended to read:

1367 339.64 Strategic Intermodal System Plan.—

1368 (1) The department shall develop, in cooperation with
1369 metropolitan planning organizations, ~~regional planning councils,~~
1370 local governments, and other transportation providers, a
1371 Strategic Intermodal System Plan. The plan shall be consistent
1372 with the Florida Transportation Plan developed pursuant to s.
1373 339.155 and shall be updated at least once every 5 years,
1374 subsequent to updates of the Florida Transportation Plan.

1375 (3) (a) During the development of updates to the Strategic
1376 Intermodal System Plan, the department shall provide
1377 metropolitan planning organizations, ~~regional planning councils,~~
1378 local governments, transportation providers, affected public
1379 agencies, and citizens with an opportunity to participate in and
1380 comment on the development of the update.

1381 Section 42. Subsection (1) of section 341.041, Florida
1382 Statutes, is amended to read:

1383 341.041 Transit responsibilities of the department.—The
1384 department shall, within the resources provided pursuant to
1385 chapter 216:

1386 (1) Develop a statewide plan that provides for public
1387 transit and intercity bus service needs at least 5 years in
1388 advance. The plan shall be developed in a manner that will
1389 assure maximum use of existing facilities, and optimum
1390 integration and coordination of the various modes of
1391 transportation, including both governmentally owned and
1392 privately owned resources, in the most cost-effective manner

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1393 possible. The plan shall also incorporate plans adopted by local
1394 ~~and regional~~ planning agencies which are consistent, to the
1395 maximum extent feasible, with ~~adopted strategic policy plans and~~
1396 approved local government comprehensive plans for the region and
1397 units of local government covered by the plan and shall, insofar
1398 as practical, conform to federal planning requirements. The plan
1399 shall be consistent with the goals of the Florida Transportation
1400 Plan developed pursuant to s. 339.155.

1401 Section 43. Paragraph (m) of subsection (3) of section
1402 343.54, Florida Statutes, is amended to read:

1403 343.54 Powers and duties.—

1404 (3) The authority may exercise all powers necessary,
1405 appurtenant, convenient, or incidental to the carrying out of
1406 the aforesaid purposes, including, but not limited to, the
1407 following rights and powers:

1408 (m) To cooperate with other governmental entities and to
1409 contract with other governmental agencies, including the
1410 Department of Transportation, the Federal Government, ~~regional~~
1411 ~~planning councils~~, counties, and municipalities.

1412 Section 44. Subsection (1) of section 369.303, Florida
1413 Statutes, is amended to read:

1414 369.303 Definitions.—As used in this part:

1415 ~~(1) "Council" means the East Central Florida Regional~~
1416 ~~Planning Council.~~

1417 Section 45. Paragraph (e) of subsection (1) of section
1418 373.309, Florida Statutes, is amended to read:

1419 373.309 Authority to adopt rules and procedures.—

1420 (1) The department shall adopt, and may from time to time
1421 amend, rules governing the location, construction, repair, and

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1422 abandonment of water wells and shall be responsible for the
1423 administration of this part. With respect thereto, the
1424 department shall:

1425 (e) Encourage prevention of potable water well
1426 contamination and promote cost-effective remediation of
1427 contaminated potable water supplies by use of the Water Quality
1428 Assurance Trust Fund as provided in s. 376.307(1)(e) and
1429 establish by rule:

1430 1. Delineation of areas of groundwater contamination for
1431 implementation of well location and construction, testing,
1432 permitting, and clearance requirements as set forth in
1433 subparagraphs 2., 3., 4., 5., and 6. The department shall make
1434 available to water management districts, ~~regional planning~~
1435 ~~councils~~, the Department of Health, and county building and
1436 zoning departments, maps or other information on areas of
1437 contamination, including areas of ethylene dibromide
1438 contamination. Such maps or other information shall be made
1439 available to property owners, realtors, real estate
1440 associations, property appraisers, and other interested persons
1441 upon request and upon payment of appropriate costs.

1442 2. Requirements for testing for suspected contamination in
1443 areas of known contamination, as a prerequisite for clearance of
1444 a water well for drinking purposes. The department is authorized
1445 to establish criteria for acceptance of water quality testing
1446 results from the Department of Health and laboratories certified
1447 by the Department of Health, and is authorized to establish
1448 requirements for sample collection quality assurance.

1449 3. Requirements for mandatory connection to available
1450 potable water systems in areas of known contamination, wherein

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1451 the department may prohibit the permitting and construction of
1452 new potable water wells.

1453 4. Location and construction standards for public and all
1454 other potable water wells permitted in areas of contamination.
1455 Such standards shall be designed to minimize the effects of such
1456 contamination.

1457 5. A procedure for permitting all potable water wells in
1458 areas of known contamination. Any new water well that is to be
1459 used for drinking water purposes and that does not meet
1460 construction standards pursuant to subparagraph 4. must be
1461 abandoned and plugged by the owner. Water management districts
1462 shall implement, through delegation from the department, the
1463 permitting and enforcement responsibilities of this
1464 subparagraph.

1465 6. A procedure for clearing for use all potable water
1466 wells, except wells that serve a public water supply system, in
1467 areas of known contamination. If contaminants are found upon
1468 testing pursuant to subparagraph 2., a well may not be cleared
1469 for use without a filter or other means of preventing the users
1470 of the well from being exposed to deleterious amounts of
1471 contaminants. The Department of Health shall implement the
1472 responsibilities of this subparagraph.

1473 7. Fees to be paid for well construction permits and
1474 clearance for use. The fees shall be based on the actual costs
1475 incurred by the water management districts, the Department of
1476 Health, or other political subdivisions in carrying out the
1477 responsibilities related to potable water well permitting and
1478 clearance for use. The fees shall provide revenue to cover all
1479 such costs and shall be set according to the following schedule:

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1480 a. The well construction permit fee may not exceed \$500.
1481 b. The clearance fee may not exceed \$50.
1482 8. Procedures for implementing well-location, construction,
1483 testing, permitting, and clearance requirements as set forth in
1484 subparagraphs 2.-6. within areas that research or monitoring
1485 data indicate are vulnerable to contamination with nitrate, or
1486 areas in which the department provides a subsidy for restoration
1487 or replacement of contaminated drinking water supplies through
1488 extending existing water lines or developing new water supply
1489 systems pursuant to s. 376.307(1)(e). The department shall
1490 consult with the Florida Ground Water Association in the process
1491 of developing rules pursuant to this subparagraph.

1492
1493 All fees and funds collected by each delegated entity pursuant
1494 to this part shall be deposited in the appropriate operating
1495 account of that entity.

1496 Section 46. Paragraph (k) of subsection (2) of section
1497 377.703, Florida Statutes, is amended to read:

1498 377.703 Additional functions of the Department of
1499 Agriculture and Consumer Services.—

1500 (2) DUTIES.—The department shall perform the following
1501 functions, unless as otherwise provided, consistent with the
1502 development of a state energy policy:

1503 (k) The department shall coordinate energy-related programs
1504 of state government, including, but not limited to, the programs
1505 provided in this section. To this end, the department shall:

1506 1. Provide assistance to other state agencies, counties,
1507 and municipalities, ~~and regional planning agencies~~ to further
1508 and promote their energy planning activities.

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1509 2. Require, in cooperation with the Department of
1510 Management Services, all state agencies to operate state-owned
1511 and state-leased buildings in accordance with energy
1512 conservation standards as adopted by the Department of
1513 Management Services. Every 3 months, the Department of
1514 Management Services shall furnish the department data on
1515 agencies' energy consumption and emissions of greenhouse gases
1516 in a format prescribed by the department.

1517 3. Promote the development and use of renewable energy
1518 resources, energy efficiency technologies, and conservation
1519 measures.

1520 4. Promote the recovery of energy from wastes, including,
1521 but not limited to, the use of waste heat, the use of
1522 agricultural products as a source of energy, and recycling of
1523 manufactured products. Such promotion shall be conducted in
1524 conjunction with, and after consultation with, the Department of
1525 Environmental Protection and the Florida Public Service
1526 Commission where electrical generation or natural gas is
1527 involved, and any other relevant federal, state, or local
1528 governmental agency having responsibility for resource recovery
1529 programs.

1530 Section 47. Subsection (3) of section 378.411, Florida
1531 Statutes, is amended to read:

1532 378.411 Certification to receive notices of intent to mine,
1533 to review, and to inspect for compliance.—

1534 (3) In making his or her determination, the secretary shall
1535 consult with the Department of Economic Opportunity, ~~the~~
1536 ~~appropriate regional planning council,~~ and the appropriate water
1537 management district.

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1538 Section 48. Subsection (15) of section 380.031, Florida
1539 Statutes, is amended to read:

1540 380.031 Definitions.—As used in this chapter:

1541 ~~(15) "Regional planning agency" means the agency designated~~
1542 ~~by the state land planning agency to exercise responsibilities~~
1543 ~~under this chapter in a particular region of the state.~~

1544 Section 49. Subsection (2) of section 380.045, Florida
1545 Statutes, is amended to read:

1546 380.045 Resource planning and management committees;
1547 objectives; procedures.—

1548 (2) The committee shall include, but shall not be limited
1549 to, representation from each of the following: elected officials
1550 from the local governments within the area under study; the
1551 planning office of each of the local governments within the area
1552 under study; the state land planning agency; any other state
1553 agency under chapter 20 a representative of which the Governor
1554 feels is relevant to the compilation of the committee; and a
1555 water management district, if appropriate, ~~and regional planning~~
1556 ~~council all or part of whose jurisdiction lies within the area~~
1557 ~~under study.~~ After the appointment of the members, the Governor
1558 shall select a chair and vice chair. A staff member of the state
1559 land planning agency shall be appointed by the director of such
1560 agency to serve as the secretary of the committee. The state
1561 land planning agency shall, to the greatest extent possible,
1562 provide technical assistance and administrative support to the
1563 committee. Meetings will be called as needed by the chair or on
1564 the demand of three or more members of the committee. The
1565 committee will act on a simple majority of a quorum present and
1566 shall make a report within 6 months to the head of the state

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1567 land planning agency. The committee shall, from the time of
1568 appointment, remain in existence for no less than 6 months.

1569 Section 50. Subsection (3) of section 380.055, Florida
1570 Statutes, is amended to read:

1571 380.055 Big Cypress Area.—

1572 (3) DESIGNATION AS AREA OF CRITICAL STATE CONCERN.—The “Big
1573 Cypress Area,” as defined in this subsection, is hereby
1574 designated as an area of critical state concern. “Big Cypress
1575 Area” means the area generally depicted on the map entitled
1576 “Boundary Map, Big Cypress National Freshwater Reserve,
1577 Florida,” numbered BC-91,001 and dated November 1971, which is
1578 on file and available for public inspection in the office of the
1579 National Park Service, Department of the Interior, Washington,
1580 D.C., and in the office of the Board of Trustees of the Internal
1581 Improvement Trust Fund, which is the area proposed as the
1582 Federal Big Cypress National Freshwater Reserve, Florida, and
1583 that area described as follows: Sections 1, 2, 11, 12 and 13 in
1584 Township 49 South, Range 31 East; and Township 49 South, Range
1585 32 East, less Sections 19, 30 and 31; and Township 49 South,
1586 Range 33 East; and Township 49 South, Range 34 East; and
1587 Sections 1 through 5 and 10 through 14 in Township 50 South,
1588 Range 32 East; and Sections 1 through 18 and 20 through 25 in
1589 Township 50 South, Range 33 East; and Township 50 South, Range
1590 34 East, less Section 31; and Sections 1 and 2 in Township 51
1591 South, Range 34 East; All in Collier County, Florida, which
1592 described area shall be known as the “Big Cypress National
1593 Preserve Addition, Florida,” together with such contiguous land
1594 and water areas as are ecologically linked with the Everglades
1595 National Park, certain of the estuarine fisheries of South

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1596 Florida, or the freshwater aquifer of South Florida, the
1597 definitive boundaries of which shall be set in the following
1598 manner: Within 120 days following the effective date of this
1599 act, the state land planning agency shall recommend definitive
1600 boundaries for the Big Cypress Area to the Administration
1601 Commission, after giving notice to all local governments and
1602 regional ~~planning~~ agencies which include within their boundaries
1603 any part of the area proposed to be included in the Big Cypress
1604 Area and holding such hearings as the state land planning agency
1605 deems appropriate. Within 45 days following receipt of the
1606 recommended boundaries, the Administration Commission shall
1607 adopt, modify, or reject the recommendation and shall by rule
1608 establish the boundaries of the area defined as the Big Cypress
1609 Area.

1610 Section 51. Subsection (6) and paragraph (b) of subsection
1611 (12) of section 380.06, Florida Statutes, are amended to read:
1612 380.06 Developments of regional impact.—

1613 (6) REPORTS.—Notwithstanding any condition in a development
1614 order for an approved development of regional impact, the
1615 developer is not required to submit an annual or a biennial
1616 report on the development of regional impact to the local
1617 government, ~~the regional planning agency,~~ the state land
1618 planning agency, and all affected permit agencies unless
1619 required to do so by the local government that has jurisdiction
1620 over the development. The penalty for failure to file such a
1621 required report is as prescribed by the local government.

1622 (12) PROPOSED DEVELOPMENTS.—

1623 (b) This subsection does not apply to:

1624 1. Amendments to a development order governing an existing

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1625 development of regional impact.

1626 2. An application for development approval filed with a
1627 concurrent plan amendment application pending as of May 14,
1628 2015, if the applicant elects to have the application reviewed
1629 pursuant to this section as it existed on that date. The
1630 election shall be in writing and filed with the affected local
1631 government, ~~regional planning council,~~ and state land planning
1632 agency before December 31, 2018.

1633 Section 52. Subsection (2) of section 380.061, Florida
1634 Statutes, is amended to read:

1635 380.061 The Florida Quality Developments program.—

1636 (2) Following written notification to the state land
1637 planning agency ~~and the appropriate regional planning agency,~~ a
1638 local government with an approved Florida Quality Development
1639 within its jurisdiction must set a public hearing pursuant to
1640 its local procedures and shall adopt a local development order
1641 to replace and supersede the development order adopted by the
1642 state land planning agency for the Florida Quality Development.
1643 Thereafter, the Florida Quality Development shall follow the
1644 procedures and requirements for developments of regional impact
1645 as specified in this chapter.

1646 Section 53. Subsection (2) of section 380.07, Florida
1647 Statutes, is amended to read:

1648 380.07 Florida Land and Water Adjudicatory Commission.—

1649 (2) Whenever any local government issues any development
1650 order in any area of critical state concern, or in regard to the
1651 abandonment of any approved development of regional impact,
1652 copies of such orders as prescribed by rule by the state land
1653 planning agency shall be transmitted to the state land planning

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1654 agency, ~~the regional planning agency,~~ and the owner or developer
1655 of the property affected by such order. The state land planning
1656 agency shall adopt rules describing development order rendition
1657 and effectiveness in designated areas of critical state concern.
1658 Within 45 days after the order is rendered, the owner, the
1659 developer, or the state land planning agency may appeal the
1660 order to the Florida Land and Water Adjudicatory Commission by
1661 filing a petition alleging that the development order is not
1662 consistent with this part.

1663 Section 54. Subsection (3) of section 380.507, Florida
1664 Statutes, is amended to read:

1665 380.507 Powers of the trust.—The trust shall have all the
1666 powers necessary or convenient to carry out the purposes and
1667 provisions of this part, including:

1668 (3) To provide technical and financial assistance to local
1669 governments, state agencies, water management districts,
1670 ~~regional planning councils,~~ and nonprofit agencies to carry out
1671 projects and activities and develop programs to achieve the
1672 purposes of this part.

1673 Section 55. Subsection (6) of section 403.0752, Florida
1674 Statutes, is amended to read:

1675 403.0752 Ecosystem management agreements.—

1676 (6) The secretary of the department may form ecosystem
1677 management advisory teams for consultation and participation in
1678 the preparation of an ecosystem management agreement. The
1679 secretary shall request the participation of at least the state
1680 and regional and local government entities having regulatory
1681 authority over the activities to be subject to the ecosystem
1682 management agreement. Such teams may also include

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1683 representatives of other participating or advisory government
1684 agencies, which may include ~~regional planning councils~~, private
1685 landowners, public landowners and managers, public and private
1686 utilities, corporations, and environmental interests. Team
1687 members shall be selected in a manner that ensures adequate
1688 representation of the diverse interests and perspectives within
1689 the designated ecosystem. Participation by any department of
1690 state government is at the discretion of that agency.

1691 Section 56. Subsection (26) of section 403.503, Florida
1692 Statutes, is amended to read:

1693 403.503 Definitions relating to Florida Electrical Power
1694 Plant Siting Act.—As used in this act:

1695 ~~(26) "Regional planning council" means a regional planning~~
1696 ~~council as defined in s. 186.503(4) in the jurisdiction of which~~
1697 ~~the electrical power plant is proposed to be located.~~

1698 Section 57. Subsection (1) of section 403.50663, Florida
1699 Statutes, is amended to read:

1700 403.50663 Informational public meetings.—

1701 (1) A local government within whose jurisdiction the power
1702 plant is proposed to be sited may hold one informational public
1703 meeting in addition to the hearings specifically authorized by
1704 this act on any matter associated with the electrical power
1705 plant proceeding. Such informational public meetings shall be
1706 held by the local government ~~or by the regional planning council~~
1707 ~~if the local government does not hold such meeting~~ within 70
1708 days after the filing of the application. The purpose of an
1709 informational public meeting is for the local government ~~or~~
1710 ~~regional planning council~~ to further inform the public about the
1711 proposed electrical power plant or associated facilities, obtain

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1712 comments from the public, and formulate its recommendation with
1713 respect to the proposed electrical power plant.

1714 Section 58. Paragraph (a) of subsection (2) of section
1715 403.507, Florida Statutes, is amended to read:

1716 403.507 Preliminary statements of issues, reports, project
1717 analyses, and studies.—

1718 (2) (a) No later than 100 days after the certification
1719 application has been determined complete, the following agencies
1720 shall prepare reports as provided below and shall submit them to
1721 the department and the applicant, unless a final order denying
1722 the determination of need has been issued under s. 403.519:

1723 1. The Department of Economic Opportunity shall prepare a
1724 report containing recommendations which address the impact upon
1725 the public of the proposed electrical power plant, based on the
1726 degree to which the electrical power plant is consistent with
1727 the applicable portions of the state comprehensive plan,
1728 emergency management, and other such matters within its
1729 jurisdiction. The Department of Economic Opportunity may also
1730 comment on the consistency of the proposed electrical power
1731 plant with applicable ~~strategic regional policy plans~~ or local
1732 comprehensive plans and land development regulations.

1733 2. The water management district shall prepare a report as
1734 to matters within its jurisdiction, including but not limited
1735 to, the impact of the proposed electrical power plant on water
1736 resources, regional water supply planning, and district-owned
1737 lands and works.

1738 3. Each local government in whose jurisdiction the proposed
1739 electrical power plant is to be located shall prepare a report
1740 as to the consistency of the proposed electrical power plant

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1741 with all applicable local ordinances, regulations, standards, or
1742 criteria that apply to the proposed electrical power plant,
1743 including any applicable local environmental regulations adopted
1744 pursuant to s. 403.182 or by other means.

1745 4. The Fish and Wildlife Conservation Commission shall
1746 prepare a report as to matters within its jurisdiction.

1747 5. The Department of Transportation shall address the
1748 impact of the proposed electrical power plant on matters within
1749 its jurisdiction.

1750 Section 59. Paragraph (c) of subsection (2) of section
1751 403.518, Florida Statutes, is amended to read:

1752 403.518 Fees; disposition.—The department shall charge the
1753 applicant the following fees, as appropriate, which, unless
1754 otherwise specified, shall be paid into the Florida Permit Fee
1755 Trust Fund:

1756 (2) An application fee, which shall not exceed \$200,000.
1757 The fee shall be fixed by rule on a sliding scale related to the
1758 size, type, ultimate site capacity, or increase in electrical
1759 generating capacity proposed by the application.

1760 (c)1. Upon written request with proper itemized accounting
1761 within 90 days after final agency action by the board or
1762 department or withdrawal of the application, the agencies that
1763 prepared reports pursuant to s. 403.507 or participated in a
1764 hearing pursuant to s. 403.508 may submit a written request to
1765 the department for reimbursement of expenses incurred during the
1766 certification proceedings. The request shall contain an
1767 accounting of expenses incurred which may include time spent
1768 reviewing the application, preparation of any studies required
1769 of the agencies by this act, agency travel and per diem to

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1770 attend any hearing held pursuant to this act, and for any local
1771 government's ~~or regional planning council's~~ provision of notice
1772 of public meetings required as a result of the application for
1773 certification. The department shall review the request and
1774 verify that the expenses are valid. Valid expenses shall be
1775 reimbursed; however, in the event the amount of funds available
1776 for reimbursement is insufficient to provide for full
1777 compensation to the agencies requesting reimbursement,
1778 reimbursement shall be on a prorated basis.

1779 2. If the application review is held in abeyance for more
1780 than 1 year, the agencies may submit a request for
1781 reimbursement. This time period shall be measured from the date
1782 the applicant has provided written notification to the
1783 department that it desires to have the application review
1784 process placed on hold. The fee disbursement shall be processed
1785 in accordance with subparagraph 1.

1786 Section 60. Subsection (21) of section 403.522, Florida
1787 Statutes, is amended to read:

1788 403.522 Definitions relating to the Florida Electric
1789 Transmission Line Siting Act.—As used in this act:

1790 ~~(21) "Regional planning council" means a regional planning~~
1791 ~~council as defined in s. 186.503(4) in the jurisdiction of which~~
1792 ~~the project is proposed to be located.~~

1793 Section 61. Paragraph (a) of subsection (2) of section
1794 403.526, Florida Statutes, is amended to read:

1795 403.526 Preliminary statements of issues, reports, and
1796 project analyses; studies.—

1797 (2) (a) No later than 90 days after the filing of the
1798 application, the following agencies shall prepare reports as

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1799 provided below, unless a final order denying the determination
1800 of need has been issued under s. 403.537:

1801 1. The department shall prepare a report as to the impact
1802 of each proposed transmission line or corridor as it relates to
1803 matters within its jurisdiction.

1804 2. Each water management district in the jurisdiction of
1805 which a proposed transmission line or corridor is to be located
1806 shall prepare a report as to the impact on water resources and
1807 other matters within its jurisdiction.

1808 3. The Department of Economic Opportunity shall prepare a
1809 report containing recommendations which address the impact upon
1810 the public of the proposed transmission line or corridor, based
1811 on the degree to which the proposed transmission line or
1812 corridor is consistent with the applicable portions of the state
1813 comprehensive plan, emergency management, and other matters
1814 within its jurisdiction. The Department of Economic Opportunity
1815 may also comment on the consistency of the proposed transmission
1816 line or corridor with applicable ~~strategic regional policy plans~~
1817 ~~or~~ local comprehensive plans and land development regulations.

1818 4. The Fish and Wildlife Conservation Commission shall
1819 prepare a report as to the impact of each proposed transmission
1820 line or corridor on fish and wildlife resources and other
1821 matters within its jurisdiction.

1822 5. Each local government shall prepare a report as to the
1823 impact of each proposed transmission line or corridor on matters
1824 within its jurisdiction, including the consistency of the
1825 proposed transmission line or corridor with all applicable local
1826 ordinances, regulations, standards, or criteria that apply to
1827 the proposed transmission line or corridor, including local

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1828 comprehensive plans, zoning regulations, land development
1829 regulations, and any applicable local environmental regulations
1830 adopted pursuant to s. 403.182 or by other means. A change by
1831 the responsible local government or local agency in local
1832 comprehensive plans, zoning ordinances, or other regulations
1833 made after the date required for the filing of the local
1834 government's report required by this section is not applicable
1835 to the certification of the proposed transmission line or
1836 corridor unless the certification is denied or the application
1837 is withdrawn.

1838 6. The Department of Transportation shall prepare a report
1839 as to the impact of the proposed transmission line or corridor
1840 on state roads, railroads, airports, aeronautics, seaports, and
1841 other matters within its jurisdiction.

1842 7. The commission shall prepare a report containing its
1843 determination under s. 403.537, and the report may include the
1844 comments from the commission with respect to any other subject
1845 within its jurisdiction.

1846 8. Any other agency, if requested by the department, shall
1847 also perform studies or prepare reports as to subjects within
1848 the jurisdiction of the agency which may potentially be affected
1849 by the proposed transmission line.

1850 Section 62. Subsection (1) of section 403.5272, Florida
1851 Statutes, is amended to read:

1852 403.5272 Informational public meetings.—

1853 (1) A local government whose jurisdiction is to be crossed
1854 by a proposed corridor may hold one informational public meeting
1855 in addition to the hearings specifically authorized by this act
1856 on any matter associated with the transmission line proceeding.

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1857 The informational public meeting ~~may be conducted by the local~~
1858 ~~government or the regional planning council~~ and shall be held no
1859 later than 55 days after the application is filed. The purpose
1860 of an informational public meeting is for the local government
1861 ~~or regional planning council~~ to further inform the public about
1862 the transmission line proposed, obtain comments from the public,
1863 and formulate its recommendation with respect to the proposed
1864 transmission line.

1865 Section 63. Subsection (4), paragraph (a) of subsection
1866 (5), and paragraph (a) of subsection (6) of section 403.5363,
1867 Florida Statutes, are amended to read:

1868 403.5363 Public notices; requirements.—

1869 (4) A local government ~~or regional planning council~~ that
1870 proposes to conduct an informational public meeting pursuant to
1871 s. 403.5272 must publish notice of the meeting in a newspaper of
1872 general circulation within the county or counties in which the
1873 proposed electrical transmission line will be located no later
1874 than 7 days before ~~prior to~~ the meeting. A newspaper of general
1875 circulation shall be the newspaper that has the largest daily
1876 circulation in that county and has its principal office in that
1877 county. If the newspaper with the largest daily circulation has
1878 its principal office outside the county, the notices shall
1879 appear in both the newspaper having the largest circulation in
1880 that county and in a newspaper authorized to publish legal
1881 notices in that county.

1882 (5) (a) A good faith effort shall be made by the applicant
1883 to provide direct notice of the filing of an application for
1884 certification by United States mail or hand delivery no later
1885 than 45 days after filing of the application to all local

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1886 landowners whose property, as noted in the most recent local
1887 government tax records, and residences are located within one-
1888 quarter mile of the proposed boundaries of a transmission line
1889 corridor that only includes a transmission line as defined by s.
1890 403.522(21) ~~s. 403.522(22)~~.

1891 (6) (a) A good faith effort shall be made by the proponent
1892 of an alternate corridor that includes a transmission line, as
1893 defined by s. 403.522(21) ~~s. 403.522(22)~~, to provide direct
1894 notice of the filing of an alternate corridor for certification
1895 by United States mail or hand delivery of the filing no later
1896 than 30 days after filing of the alternate corridor to all local
1897 landowners whose property, as noted in the most recent local
1898 government tax records, and residences are located within one-
1899 quarter mile of the proposed boundaries of a transmission line
1900 corridor that includes a transmission line as defined by s.
1901 403.522(21) ~~s. 403.522(22)~~.

1902 Section 64. Paragraph (d) of subsection (1) of section
1903 403.5365, Florida Statutes, is amended to read:

1904 403.5365 Fees; disposition.—The department shall charge the
1905 applicant the following fees, as appropriate, which, unless
1906 otherwise specified, shall be paid into the Florida Permit Fee
1907 Trust Fund:

1908 (1) An application fee.

1909 (d)1. Upon written request with proper itemized accounting
1910 within 90 days after final agency action by the siting board or
1911 the department or the written notification of the withdrawal of
1912 the application, the agencies that prepared reports under s.
1913 403.526 or s. 403.5271 or participated in a hearing under s.
1914 403.527 or s. 403.5271 may submit a written request to the

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1915 department for reimbursement of expenses incurred during the
1916 certification proceedings. The request must contain an
1917 accounting of expenses incurred, which may include time spent
1918 reviewing the application, preparation of any studies required
1919 of the agencies by this act, agency travel and per diem to
1920 attend any hearing held under this act, and for the local
1921 government ~~or regional planning council~~ providing additional
1922 notice of the informational public meeting. The department shall
1923 review the request and verify whether a claimed expense is
1924 valid. Valid expenses shall be reimbursed; however, if the
1925 amount of funds available for reimbursement is insufficient to
1926 provide for full compensation to the agencies, reimbursement
1927 shall be on a prorated basis.

1928 2. If the application review is held in abeyance for more
1929 than 1 year, the agencies may submit a request for reimbursement
1930 under subparagraph 1. This time period shall be measured from
1931 the date the applicant has provided written notification to the
1932 department that it desires to have the application review
1933 process placed on hold. The fee disbursement shall be processed
1934 in accordance with subparagraph 1.

1935 Section 65. Paragraphs (a) and (d) of subsection (1) of
1936 section 403.537, Florida Statutes, are amended to read:

1937 403.537 Determination of need for transmission line; powers
1938 and duties.—

1939 (1) (a) Upon request by an applicant or upon its own motion,
1940 the Florida Public Service Commission shall schedule a public
1941 hearing, after notice, to determine the need for a transmission
1942 line regulated by the Florida Electric Transmission Line Siting
1943 Act, ss. 403.52-403.5365. The notice shall be published at least

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1944 21 days before the date set for the hearing and shall be
1945 published by the applicant in at least one-quarter page size
1946 notice in newspapers of general circulation, and by the
1947 commission in the manner specified in chapter 120, by giving
1948 notice to counties ~~and regional planning councils~~ in whose
1949 jurisdiction the transmission line could be placed, and by
1950 giving notice to any persons who have requested to be placed on
1951 the mailing list of the commission for this purpose. Within 21
1952 days after receipt of a request for determination by an
1953 applicant, the commission shall set a date for the hearing. The
1954 hearing shall be held pursuant to s. 350.01 within 45 days after
1955 the filing of the request, and a decision shall be rendered
1956 within 60 days after such filing.

1957 (d) The determination by the commission of the need for the
1958 transmission line, as defined in s. 403.522(21) ~~s. 403.522(22)~~,
1959 is binding on all parties to any certification proceeding under
1960 the Florida Electric Transmission Line Siting Act and is a
1961 condition precedent to the conduct of the certification hearing
1962 prescribed therein. An order entered pursuant to this section
1963 constitutes final agency action.

1964 Section 66. Subsection (17) of section 403.704, Florida
1965 Statutes, is amended to read:

1966 403.704 Powers and duties of the department.—The department
1967 shall have responsibility for the implementation and enforcement
1968 of this act. In addition to other powers and duties, the
1969 department shall:

1970 (17) Provide technical assistance to local governments and
1971 regional agencies to ensure consistency between county hazardous
1972 waste management assessments; coordinate the development of such

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1973 assessments ~~with the assistance of the appropriate regional~~
1974 ~~planning councils~~; and review and make recommendations to the
1975 Legislature relative to the sufficiency of the assessments to
1976 meet state hazardous waste management needs.

1977 Section 67. Subsection (1) of section 403.7226, Florida
1978 Statutes, is amended to read:

1979 403.7226 Technical assistance by the department.—The
1980 department shall:

1981 (1) Provide technical assistance to county governments ~~and~~
1982 ~~regional planning councils~~ to ensure consistency in implementing
1983 local hazardous waste management assessments as provided in ss.
1984 403.7225, 403.7234, and 403.7236. In order to ensure that each
1985 local assessment is properly implemented and that all
1986 information gathered during the assessment is uniformly compiled
1987 and documented, each county ~~or regional planning council~~ shall
1988 contact the department during the preparation of the local
1989 assessment to receive technical assistance. Each county ~~or~~
1990 ~~regional planning council~~ shall follow guidelines established by
1991 the department, and adopted by rule as appropriate, in order to
1992 properly implement these assessments.

1993 Section 68. Subsection (22) of section 403.9403, Florida
1994 Statutes, is amended to read:

1995 403.9403 Definitions.—As used in ss. 403.9401-403.9425, the
1996 term:

1997 ~~(22) "Regional planning council" means a regional planning~~
1998 ~~council created pursuant to chapter 186 in the jurisdiction of~~
1999 ~~which the project is proposed to be located.~~

2000 Section 69. Paragraph (a) of subsection (2) of section
2001 403.941, Florida Statutes, is amended to read:

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2002 403.941 Preliminary statements of issues, reports, and
2003 studies.-

2004 (2) (a) The affected agencies shall prepare reports as
2005 provided in this paragraph and shall submit them to the
2006 department and the applicant within 60 days after the
2007 application is determined sufficient:

2008 1. The department shall prepare a report as to the impact
2009 of each proposed natural gas transmission pipeline or corridor
2010 as it relates to matters within its jurisdiction.

2011 2. Each water management district in the jurisdiction of
2012 which a proposed natural gas transmission pipeline or corridor
2013 is to be located shall prepare a report as to the impact on
2014 water resources and other matters within its jurisdiction.

2015 3. The Department of Economic Opportunity shall prepare a
2016 report containing recommendations which address the impact upon
2017 the public of the proposed natural gas transmission pipeline or
2018 corridor, based on the degree to which the proposed natural gas
2019 transmission pipeline or corridor is consistent with the
2020 applicable portions of the state comprehensive plan and other
2021 matters within its jurisdiction. The Department of Economic
2022 Opportunity may also comment on the consistency of the proposed
2023 natural gas transmission pipeline or corridor with applicable
2024 ~~strategic regional policy plans or~~ local comprehensive plans and
2025 land development regulations.

2026 4. The Fish and Wildlife Conservation Commission shall
2027 prepare a report as to the impact of each proposed natural gas
2028 transmission pipeline or corridor on fish and wildlife resources
2029 and other matters within its jurisdiction.

2030 5. Each local government in which the natural gas

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2031 transmission pipeline or natural gas transmission pipeline
2032 corridor will be located shall prepare a report as to the impact
2033 of each proposed natural gas transmission pipeline or corridor
2034 on matters within its jurisdiction, including the consistency of
2035 the proposed natural gas transmission pipeline or corridor with
2036 all applicable local ordinances, regulations, standards, or
2037 criteria that apply to the proposed natural gas transmission
2038 pipeline or corridor, including local comprehensive plans,
2039 zoning regulations, land development regulations, and any
2040 applicable local environmental regulations adopted pursuant to
2041 s. 403.182 or by other means. No change by the responsible local
2042 government or local agency in local comprehensive plans, zoning
2043 ordinances, or other regulations made after the date required
2044 for the filing of the local government's report required by this
2045 section shall be applicable to the certification of the proposed
2046 natural gas transmission pipeline or corridor unless the
2047 certification is denied or the application is withdrawn.

2048 6. The Department of Transportation shall prepare a report
2049 on the effect of the natural gas transmission pipeline or
2050 natural gas transmission pipeline corridor on matters within its
2051 jurisdiction, including roadway crossings by the pipeline. The
2052 report shall contain at a minimum:

2053 a. A report by the applicant to the department stating that
2054 all requirements of the department's utilities accommodation
2055 guide have been or will be met in regard to the proposed
2056 pipeline or pipeline corridor; and

2057 b. A statement by the department as to the adequacy of the
2058 report to the department by the applicant.

2059 7. The Department of State, Division of Historical

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2060 Resources, shall prepare a report on the impact of the natural
2061 gas transmission pipeline or natural gas transmission pipeline
2062 corridor on matters within its jurisdiction.

2063 8. The commission shall prepare a report addressing matters
2064 within its jurisdiction. The commission's report shall include
2065 its determination of need issued pursuant to s. 403.9422.

2066 Section 70. Paragraph (a) of subsection (1) of section
2067 403.9422, Florida Statutes, is amended to read:

2068 403.9422 Determination of need for natural gas transmission
2069 pipeline; powers and duties.—

2070 (1) (a) Upon request by an applicant or upon its own motion,
2071 the commission shall schedule a public hearing, after notice, to
2072 determine the need for a natural gas transmission pipeline
2073 regulated by ss. 403.9401-403.9425. Such notice shall be
2074 published at least 45 days before the date set for the hearing
2075 and shall be published in at least one-quarter page size in
2076 newspapers of general circulation and in the Florida
2077 Administrative Register, by giving notice to counties ~~and~~
2078 ~~regional planning councils~~ in whose jurisdiction the natural gas
2079 transmission pipeline could be placed, and by giving notice to
2080 any persons who have requested to be placed on the mailing list
2081 of the commission for this purpose. Within 21 days after receipt
2082 of a request for determination by an applicant, the commission
2083 shall set a date for the hearing. The hearing shall be held
2084 pursuant to s. 350.01 within 75 days after the filing of the
2085 request, and a decision shall be rendered within 90 days after
2086 such filing.

2087 Section 71. Subsection (4) of section 403.973, Florida
2088 Statutes, is amended to read:

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2089 403.973 Expedited permitting; amendments to comprehensive
2090 plans.—

2091 (4) The regional teams shall be established through the
2092 execution of a project-specific memorandum of agreement
2093 developed and executed by the applicant and the secretary, with
2094 input solicited from the respective heads of the Department of
2095 Transportation and its district offices, the Department of
2096 Agriculture and Consumer Services, the Fish and Wildlife
2097 Conservation Commission, ~~appropriate regional planning councils,~~
2098 appropriate water management districts, and voluntarily
2099 participating municipalities and counties. The memorandum of
2100 agreement should also accommodate participation in this
2101 expedited process by other local governments and federal
2102 agencies as circumstances warrant.

2103 Section 72. Paragraphs (b) and (d) of subsection (1) of
2104 section 408.033, Florida Statutes, are amended to read:

2105 408.033 Local and state health planning.—

2106 (1) LOCAL HEALTH COUNCILS.—

2107 (b) Each local health council may:

2108 1. Develop a district area health plan that permits each
2109 local health council to develop strategies and set priorities
2110 for implementation based on its unique local health needs.

2111 2. Advise the agency on health care issues and resource
2112 allocations.

2113 3. Promote public awareness of community health needs,
2114 emphasizing health promotion and cost-effective health service
2115 selection.

2116 4. Collect data and conduct analyses and studies related to
2117 health care needs of the district, including the needs of

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2118 medically indigent persons, and assist the agency and other
 2119 state agencies in carrying out data collection activities that
 2120 relate to the functions in this subsection.

2121 5. Monitor the onsite construction progress, if any, of
 2122 certificate-of-need approved projects and report council
 2123 findings to the agency on forms provided by the agency.

2124 ~~6. Advise and assist any regional planning councils within~~
 2125 ~~each district that have elected to address health issues in~~
 2126 ~~their strategic regional policy plans with the development of~~
 2127 ~~the health element of the plans to address the health goals and~~
 2128 ~~policies in the State Comprehensive Plan.~~

2129 ~~7.~~ Advise and assist local governments within each district
 2130 on the development of an optional health plan element of the
 2131 comprehensive plan provided in chapter 163, to assure
 2132 compatibility with the health goals and policies in the State
 2133 Comprehensive Plan and district health plan. To facilitate the
 2134 implementation of this section, the local health council shall
 2135 annually provide the local governments in its service area, upon
 2136 request, with:

2137 a. A copy and appropriate updates of the district health
 2138 plan;

2139 b. A report of hospital and nursing home utilization
 2140 statistics for facilities within the local government
 2141 jurisdiction; and

2142 c. Applicable agency rules and calculated need
 2143 methodologies for health facilities and services regulated under
 2144 s. 408.034 for the district served by the local health council.

2145 ~~7.8.~~ Monitor and evaluate the adequacy, appropriateness,
 2146 and effectiveness, within the district, of local, state,

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2147 federal, and private funds distributed to meet the needs of the
2148 medically indigent and other underserved population groups.

2149 ~~8.9.~~ In conjunction with the Department of Health, plan for
2150 services at the local level for persons infected with the human
2151 immunodeficiency virus.

2152 ~~9.10.~~ Provide technical assistance to encourage and support
2153 activities by providers, purchasers, consumers, and local,
2154 regional, and state agencies in meeting the health care goals,
2155 objectives, and policies adopted by the local health council.

2156 ~~10.11.~~ Provide the agency with data required by rule for
2157 the review of certificate-of-need applications and the
2158 projection of need for health services and facilities in the
2159 district.

2160 (d) Each local health council shall enter into a memorandum
2161 of agreement with each ~~regional planning council in its district~~
2162 ~~that elects to address health issues in its strategic regional~~
2163 ~~policy plan. In addition, each local health council shall enter~~
2164 ~~into a memorandum of agreement with each~~ local government that
2165 includes an optional health element in its comprehensive plan.
2166 Each memorandum of agreement must specify the manner in which
2167 each local government, ~~regional planning council,~~ and local
2168 health council will coordinate its activities to ensure a
2169 unified approach to health planning and implementation efforts.

2170 Section 73. Subsection (1) of section 420.609, Florida
2171 Statutes, is amended to read:

2172 420.609 Affordable Housing Study Commission.—Because the
2173 Legislature firmly supports affordable housing in Florida for
2174 all economic classes:

2175 (1) There is created the Affordable Housing Study

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2176 Commission, which shall be composed of 20 ~~21~~ members to be
2177 appointed by the Governor:

2178 (a) One citizen actively engaged in the residential home
2179 building industry.

2180 (b) One citizen actively engaged in the home mortgage
2181 lending profession.

2182 (c) One citizen actively engaged in the real estate sales
2183 profession.

2184 (d) One citizen actively engaged in apartment development.

2185 (e) One citizen actively engaged in the management and
2186 operation of a rental housing development.

2187 (f) Two citizens who represent very-low-income and low-
2188 income persons.

2189 (g) One citizen representing a community-based organization
2190 with experience in housing development.

2191 (h) One citizen representing a community-based organization
2192 with experience in housing development in a community with a
2193 population of less than 50,000 persons.

2194 (i) Two citizens who represent elderly persons' housing
2195 interests.

2196 (j) ~~One representative of regional planning councils.~~

2197 ~~(k)~~ One representative of the Florida League of Cities.

2198 (k) ~~(l)~~ One representative of the Florida Association of
2199 Counties.

2200 (l) ~~(m)~~ Two citizens representing statewide growth
2201 management organizations.

2202 (m) ~~(n)~~ One citizen of the state to serve as chair of the
2203 commission.

2204 (n) ~~(o)~~ One citizen representing a residential community

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2205 developer.

2206 (o)~~(p)~~ One member who is a resident of the state.

2207 (p)~~(q)~~ One representative from a local housing authority.

2208 (q)~~(r)~~ One citizen representing the housing interests of
2209 homeless persons.

2210 Section 74. Subsection (8) of section 427.012, Florida
2211 Statutes, is amended to read:

2212 427.012 The Commission for the Transportation
2213 Disadvantaged.—There is created the Commission for the
2214 Transportation Disadvantaged in the Department of
2215 Transportation.

2216 (8) The commission shall appoint a technical working group
2217 that includes representatives of private paratransit providers.
2218 The technical working group shall advise the commission on
2219 issues of importance to the state, including information,
2220 advice, and direction regarding the coordination of services for
2221 the transportation disadvantaged. The commission may appoint
2222 other technical working groups whose members may include
2223 representatives of community transportation coordinators;
2224 metropolitan planning organizations; ~~regional planning councils;~~
2225 experts in insurance, marketing, economic development, or
2226 financial planning; and persons who use transportation for the
2227 transportation disadvantaged, or their relatives, parents,
2228 guardians, or service professionals who tend to their needs.

2229 Section 75. Paragraph (f) of subsection (1) of section
2230 501.171, Florida Statutes, is amended to read:

2231 501.171 Security of confidential personal information.—

2232 (1) DEFINITIONS.—As used in this section, the term:

2233 (f) "Governmental entity" means any department, division,

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2234 bureau, commission, ~~regional planning agency~~, board, district,
2235 authority, agency, or other instrumentality of this state that
2236 acquires, maintains, stores, or uses data in electronic form
2237 containing personal information.

2238 Section 76. Subsection (6) of section 1013.30, Florida
2239 Statutes, is amended to read:

2240 1013.30 University campus master plans and campus
2241 development agreements.—

2242 (6) Before a campus master plan is adopted, a copy of the
2243 draft master plan must be sent for review or made available
2244 electronically to the host and any affected local governments,
2245 the state land planning agency, the Department of Environmental
2246 Protection, the Department of Transportation, the Department of
2247 State, the Fish and Wildlife Conservation Commission, and the
2248 applicable water management district ~~and regional planning~~
2249 ~~council~~. At the request of a governmental entity, a hard copy of
2250 the draft master plan shall be submitted within 7 business days
2251 of an electronic copy being made available. These agencies must
2252 be given 90 days after receipt of the campus master plans in
2253 which to conduct their review and provide comments to the
2254 university board of trustees. The commencement of this review
2255 period must be advertised in newspapers of general circulation
2256 within the host local government and any affected local
2257 government to allow for public comment. Following receipt and
2258 consideration of all comments and the holding of an informal
2259 information session and at least two public hearings within the
2260 host jurisdiction, the university board of trustees shall adopt
2261 the campus master plan. It is the intent of the Legislature that
2262 the university board of trustees comply with the notice

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2263 requirements set forth in s. 163.3184(11) to ensure full public
 2264 participation in this planning process. The informal public
 2265 information session must be held before the first public
 2266 hearing. The first public hearing shall be held before the draft
 2267 master plan is sent to the agencies specified in this
 2268 subsection. The second public hearing shall be held in
 2269 conjunction with the adoption of the draft master plan by the
 2270 university board of trustees. Campus master plans developed
 2271 under this section are not rules and are not subject to chapter
 2272 120 except as otherwise provided in this section.

2273 Section 77. Subsection (6) of section 339.285, Florida
 2274 Statutes, is amended to read:

2275 339.285 Enhanced Bridge Program for Sustainable
 2276 Transportation.—

2277 (6) Preference shall be given to bridge projects located on
 2278 corridors that connect to the Strategic Intermodal System,
 2279 created under s. 339.64, and that have been identified as
 2280 regionally significant in accordance with s. 339.155(4)(b), (c),
 2281 and (d) ~~s. 339.155(4)(c), (d), and (e)~~.

2282 Section 78. Subsections (1) and (2) of section 373.415,
 2283 Florida Statutes, are amended to read:

2284 373.415 Protection zones; duties of the St. Johns River
 2285 Water Management District.—

2286 (1) Not later than November 1, 1988, the St. Johns River
 2287 Water Management District shall adopt rules establishing
 2288 protection zones adjacent to the watercourses in the Wekiva
 2289 River System, as designated in s. 369.303(9) ~~s. 369.303(10)~~.
 2290 Such protection zones shall be sufficiently wide to prevent harm
 2291 to the Wekiva River System, including water quality, water

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2292 quantity, hydrology, wetlands, and aquatic and wetland-dependent
2293 wildlife species, caused by any of the activities regulated
2294 under this part. Factors on which the widths of the protection
2295 zones shall be based shall include, but not be limited to:

2296 (a) The biological significance of the wetlands and uplands
2297 adjacent to the designated watercourses in the Wekiva River
2298 System, including the nesting, feeding, breeding, and resting
2299 needs of aquatic species and wetland-dependent wildlife species.

2300 (b) The sensitivity of these species to disturbance,
2301 including the short-term and long-term adaptability to
2302 disturbance of the more sensitive species, both migratory and
2303 resident.

2304 (c) The susceptibility of these lands to erosion, including
2305 the slope, soils, runoff characteristics, and vegetative cover.

2306

2307 In addition, the rules may establish permitting thresholds,
2308 permitting exemptions, or general permits, if such thresholds,
2309 exemptions, or general permits do not allow significant adverse
2310 impacts to the Wekiva River System to occur individually or
2311 cumulatively.

2312 (2) Notwithstanding ~~the provisions of~~ s. 120.60, the St.
2313 Johns River Water Management District shall not issue any permit
2314 under this part within the Wekiva River Protection Area, as
2315 defined in s. 369.303(8) ~~s. 369.303(9)~~, until the appropriate
2316 local government has provided written notification to the
2317 district that the proposed activity is consistent with the local
2318 comprehensive plan and is in compliance with any land
2319 development regulation in effect in the area where the
2320 development will take place. The district may, however, inform

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2321 any property owner who makes a request for such information as
2322 to the location of the protection zone or zones on his or her
2323 property. However, if a development proposal is amended as the
2324 result of the review by the district, a permit may be issued
2325 before ~~prior to~~ the development proposal being returned, if
2326 necessary, to the local government for additional review.

2327 Section 79. Paragraph (a) of subsection (6) and paragraph
2328 (a) of subsection (7) of section 403.5115, Florida Statutes, are
2329 amended to read:

2330 403.5115 Public notice.—

2331 (6) (a) A good faith effort shall be made by the applicant
2332 to provide direct written notice of the filing of an application
2333 for certification by United States mail or hand delivery no
2334 later than 45 days after filing of the application to all local
2335 landowners whose property, as noted in the most recent local
2336 government tax records, and residences are located within the
2337 following distances of the proposed project:

2338 1. Three miles of the proposed main site boundaries of the
2339 proposed electrical power plant.

2340 2. One-quarter mile for a transmission line corridor that
2341 only includes a transmission line as defined by s. 403.522(21)
2342 ~~s. 403.522(22)~~.

2343 3. One-quarter mile for all other linear associated
2344 facilities extending away from the main site boundary except for
2345 a transmission line corridor that includes a transmission line
2346 that operates below those defined by s. 403.522(21) ~~s.~~
2347 ~~403.522(22)~~.

2348 (7) (a) A good faith effort shall be made by the proponent
2349 of an alternate corridor that includes a transmission line, as

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2350 defined by s. 403.522(21) ~~s. 403.522(22)~~, to provide direct
2351 written notice of the filing of an alternate corridor for
2352 certification by United States mail or hand delivery of the
2353 filing no later than 30 days after filing of the alternate
2354 corridor to all local landowners whose property, as noted in the
2355 most recent local government tax records, and residences, are
2356 located within one-quarter mile of the proposed boundaries of a
2357 transmission line corridor that includes a transmission line as
2358 defined by s. 403.522(21) ~~s. 403.522(22)~~.

2359 Section 80. For the purpose of incorporating the amendment
2360 made by this act to section 120.52, Florida Statutes, in a
2361 reference thereto, subsection (5) of section 57.105, Florida
2362 Statutes, is reenacted to read:

2363 57.105 Attorney's fee; sanctions for raising unsupported
2364 claims or defenses; exceptions; service of motions; damages for
2365 delay of litigation.—

2366 (5) In administrative proceedings under chapter 120, an
2367 administrative law judge shall award a reasonable attorney's fee
2368 and damages to be paid to the prevailing party in equal amounts
2369 by the losing party and a losing party's attorney or qualified
2370 representative in the same manner and upon the same basis as
2371 provided in subsections (1)-(4). Such award shall be a final
2372 order subject to judicial review pursuant to s. 120.68. If the
2373 losing party is an agency as defined in s. 120.52(1), the award
2374 to the prevailing party shall be against and paid by the agency.
2375 A voluntary dismissal by a nonprevailing party does not divest
2376 the administrative law judge of jurisdiction to make the award
2377 described in this subsection.

2378 Section 81. For the purpose of incorporating the amendment

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2379 made by this act to section 120.52, Florida Statutes, in a
 2380 reference thereto, paragraph (f) of subsection (3) of section
 2381 57.111, Florida Statutes, is reenacted to read:

2382 57.111 Civil actions and administrative proceedings
 2383 initiated by state agencies; attorneys' fees and costs.—

2384 (3) As used in this section:

2385 (f) The term "state agency" has the meaning described in s.
 2386 120.52(1).

2387 Section 82. For the purpose of incorporating the amendment
 2388 made by this act to section 120.52, Florida Statutes, in a
 2389 reference thereto, subsection (3) of section 216.241, Florida
 2390 Statutes, is reenacted to read:

2391 216.241 Initiation or commencement of new programs;
 2392 approval; expenditure of certain revenues.—

2393 (3) Any revenues generated by any tax or fee imposed by
 2394 amendment to the State Constitution after October 1, 1999, shall
 2395 not be expended by any agency, as defined in s. 120.52(1),
 2396 except pursuant to appropriation by the Legislature.

2397 Section 83. For the purpose of incorporating the amendment
 2398 made by this act to section 380.045, Florida Statutes, in a
 2399 reference thereto, subsection (6) of section 380.0552, Florida
 2400 Statutes, is reenacted to read:

2401 380.0552 Florida Keys Area; protection and designation as
 2402 area of critical state concern.—

2403 (6) RESOURCE PLANNING AND MANAGEMENT COMMITTEE.—The
 2404 Governor, acting as the chief planning officer of the state,
 2405 shall appoint a resource planning and management committee for
 2406 the Florida Keys Area with the membership as specified in s.
 2407 380.045(2). Meetings shall be called as needed by the chair or

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2408 on the demand of three or more members of the committee. The
2409 committee shall:

2410 (a) Serve as a liaison between the state and local
2411 governments within Monroe County.

2412 (b) Develop, with local government officials in the Florida
2413 Keys Area, recommendations to the state land planning agency as
2414 to the sufficiency of the Florida Keys Area's comprehensive plan
2415 and land development regulations.

2416 (c) Recommend to the state land planning agency changes to
2417 state and regional plans and regulatory programs affecting the
2418 Florida Keys Area.

2419 (d) Assist units of local government within the Florida
2420 Keys Area in carrying out the planning functions and other
2421 responsibilities required by this section.

2422 (e) Review, at a minimum, all reports and other materials
2423 provided to it by the state land planning agency or other
2424 governmental agencies.

2425 Section 84. Local governments may enter into agreements to
2426 create regional planning entities pursuant to chapter 163,
2427 Florida Statutes.

2428 Section 85. This act shall take effect July 1, 2021.