

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 11
From: Staff
Date: March 20, 2015 Council Meeting
Subject: Senate Bill 484 and House Bill 873 Update

Introduction

On February 3, 2015, Senator Wilton Simpson filed Senate Bill (SB) 484 relating to regional planning councils. On February 19, 2015 Representative Debbie Mayfield filed an identical companion bill, House Bill (HB) 873. The original bills eliminated nearly all statutory provisions defining and authorizing regional planning councils. On March 5, 2015, Senator Simpson filed an extensive amendment to the original bill, “striking all” language destructive to regional planning councils (see attached document titled: *CS for SB 484*). In addition, the amended bill deletes obsolete and unnecessary provisions relating to regional planning councils; reduces the number of regional planning councils statewide from 11 to 10; requires the Governor to seek approval from the legislature for any changes in regional planning council boundaries the Governor may propose; and provides \$2.5 million in nonrecurring funding for regional planning councils from the state’s general revenue fund.

Background

Senator Simpson’s original intent for SB 484 was to address ongoing issues in his District with the Withlacoochee Regional Planning Council (RPC). The Withlacoochee RPC was established in 1973 by an interlocal agreement between Citrus, Hernando, Levy, Marion, and Sumter counties. Under the revised bill, the Withlacoochee RPC is dissolved with Levy and Marion counties going to the North Central Florida RPC; Citrus and Hernando counties going to the Tampa Bay RPC; and Sumter County going to the East Central Florida RPC.

Analysis

Senator Simpson’s March 5, 2015 revisions to SB 484 provide an acceptable resolution to serious concerns expressed about the original bill by the Florida Regional Councils Association, Florida Association of Counties, Small Counties Coalition, and others. The amended bill eliminates obsolete and unnecessary statutory requirements related to regional planning councils; provides state funding for regional planning councils; and positions regional planning councils to better focus their efforts on: 1) strategically addressing problems of greater than local

government concern; 2) provide technical assistance to local governments, economic development organizations, and other stakeholders; and 3) expand the capacity of local government and others to provide service to the public and improve quality of life in the region.

Conclusion

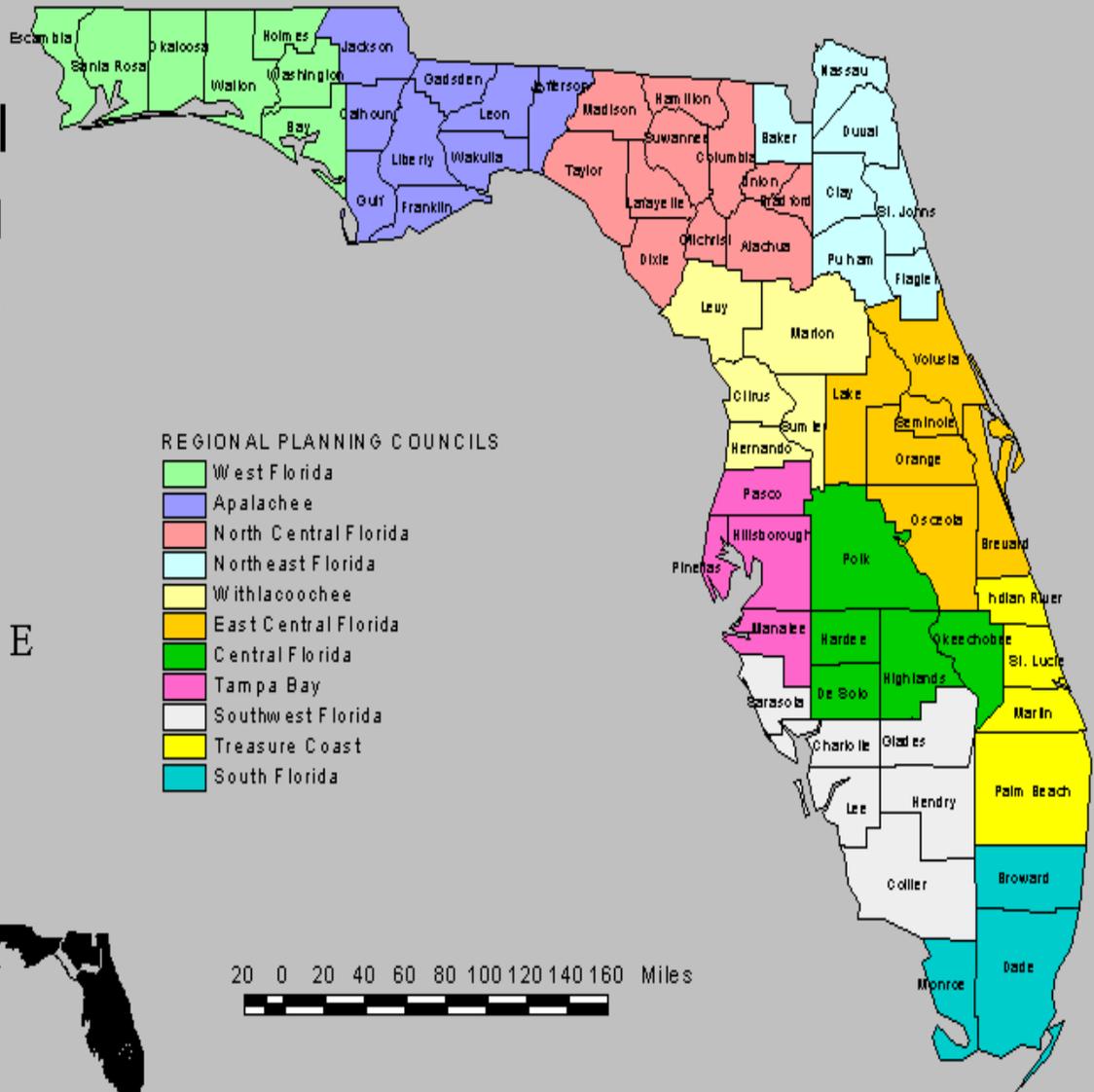
The revised SB 484, dated March 5, 2015, should be supported by the Treasure Coast Regional Planning Council. A letter for the Chairman's signature from Council to the Executive Director of the Florida Regional Councils Association should be sent indicating its support for the current bill. In addition, a similar letter should be sent to Representative Mayfield requesting that her companion bill in the House be amended to track the changes found in revised SB 484.

Recommendation

Council should authorize the Chairman to transmit a letter to Florida Regional Councils Association in support of the March 5, 2015 version of Senate Bill 484 and a letter to Representative Mayfield requesting House Bill 873 be amended to track the changes in the revised Senate Bill 484.

Attachments

Florida Regional Planning Councils



NORTH CENTRAL FLORIDA
REGIONAL PLANNING COUNCIL



20 0 20 40 60 80 100 120 140 160 Miles



By the Committee on Community Affairs; and Senator Simpson

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1 A bill to be entitled
2 An act relating to regional planning councils;
3 amending s. 163.3175, F.S.; deleting obsolete
4 provisions; amending s. 163.3246, F.S.; removing
5 restrictions on certain exemptions; amending s.
6 163.3248, F.S.; removing the requirement that regional
7 planning councils provide assistance in developing a
8 plan for a rural land stewardship area; amending s.
9 186.505, F.S.; removing the power of regional planning
10 councils to establish and conduct cross-acceptance
11 negotiation processes; amending s. 186.506, F.S.;
12 removing the Governor's authority to revise regional
13 planning council district boundaries; creating s.
14 186.512, F.S.; subdividing the state into specified
15 geographic regions for the purpose of regional
16 comprehensive planning; amending s. 186.513, F.S.;
17 deleting the requirement that regional planning
18 councils make joint reports and recommendations;
19 amending s. 253.7828, F.S.; conforming provisions to
20 changes made by the act; amending s. 339.135, F.S.;
21 deleting obsolete provisions; amending s. 339.155,
22 F.S.; removing certain duties of regional planning
23 councils; amending s. 380.06, F.S.; removing the
24 requirement that certain developers submit biennial
25 reports to regional planning agencies; amending s.
26 403.50663, F.S.; removing requirements relating to
27 certain informational public meetings; amending s.
28 403.507, F.S.; removing the requirement that regional
29 planning councils prepare reports addressing the

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30 impact of proposed electrical power plants; amending
31 s. 403.508, F.S.; removing the requirement that
32 regional planning councils participate in certain
33 proceedings; amending s. 403.5115, F.S.; conforming
34 provisions to changes made by the act; amending s.
35 403.526, F.S.; removing the requirement that regional
36 planning councils prepare reports addressing the
37 impact of proposed transmission lines or corridors;
38 amending s. 403.527, F.S.; removing the requirement
39 that regional planning councils parties participate in
40 certain proceedings; amending s. 403.5272, F.S.;
41 conforming provisions to changes made by the act;
42 amending s. 403.7264, F.S.; removing the requirement
43 that regional planning councils assist with amnesty
44 days for purging small quantities of hazardous wastes;
45 amending s. 403.941, F.S.; removing the requirement
46 that regional planning councils prepare reports
47 addressing the impact of proposed natural gas
48 transmission lines or corridors; amending s. 403.9411,
49 F.S.; removing the requirement that regional planning
50 councils participate in certain proceedings; amending
51 ss. 419.001 and 985.682, F.S.; removing provisions
52 relating to the use of a certain dispute resolution
53 process; repealing s. 186.0201, F.S., relating to
54 electric substation planning; repealing s. 260.018,
55 F.S., relating to agency recognition of certain
56 publicly owned lands and waters; providing an
57 appropriation; providing an effective date.
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59 Be It Enacted by the Legislature of the State of Florida:

60

61 Section 1. Subsection (9) of section 163.3175, Florida
62 Statutes, is amended to read:

63 163.3175 Legislative findings on compatibility of
64 development with military installations; exchange of information
65 between local governments and military installations.—

66 ~~(9) If a local government, as required under s.~~
67 ~~163.3177(6)(a), does not adopt criteria and address~~
68 ~~compatibility of lands adjacent to or closely proximate to~~
69 ~~existing military installations in its future land use plan~~
70 ~~element by June 30, 2012, the local government, the military~~
71 ~~installation, the state land planning agency, and other parties~~
72 ~~as identified by the regional planning council, including, but~~
73 ~~not limited to, private landowner representatives, shall enter~~
74 ~~into mediation conducted pursuant to s. 186.509. If the local~~
75 ~~government comprehensive plan does not contain criteria~~
76 ~~addressing compatibility by December 31, 2013, the agency may~~
77 ~~notify the Administration Commission. The Administration~~
78 ~~Commission may impose sanctions pursuant to s. 163.3184(8). Any~~
79 ~~local government that amended its comprehensive plan to address~~
80 ~~military installation compatibility requirements after 2004 and~~
81 ~~was found to be in compliance is deemed to be in compliance with~~
82 ~~this subsection until the local government conducts its~~
83 ~~evaluation and appraisal review pursuant to s. 163.3191 and~~
84 ~~determines that amendments are necessary to meet updated general~~
85 ~~law requirements.~~

86 Section 2. Subsection (11) of section 163.3246, Florida
87 Statutes, is amended to read:

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88 163.3246 Local government comprehensive planning
89 certification program.—

90 (11) If the local government of an area described in
91 subsection (10) does not request that the state land planning
92 agency review the developments of regional impact that are
93 proposed within the certified area, an application for approval
94 of a development order within the certified area shall be exempt
95 from review under s. 380.06, ~~subject to the following:~~

96 ~~(a) Concurrent with filing an application for development~~
97 ~~approval with the local government, a developer proposing a~~
98 ~~project that would have been subject to review pursuant to s.~~
99 ~~380.06 shall notify in writing the regional planning council~~
100 ~~with jurisdiction.~~

101 ~~(b) The regional planning council shall coordinate with the~~
102 ~~developer and the local government to ensure that all~~
103 ~~concurrency requirements as well as federal, state, and local~~
104 ~~environmental permit requirements are met.~~

105 Section 3. Subsection (4) of section 163.3248, Florida
106 Statutes, is amended to read:

107 163.3248 Rural land stewardship areas.—

108 (4) A local government or one or more property owners may
109 request assistance and participation in the development of a
110 plan for the rural land stewardship area from the state land
111 planning agency, the Department of Agriculture and Consumer
112 Services, the Fish and Wildlife Conservation Commission, the
113 Department of Environmental Protection, the appropriate water
114 management district, the Department of Transportation, ~~the~~
115 ~~regional planning council,~~ private land owners, and
116 stakeholders.

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117 Section 4. Subsection (22) of section 186.505, Florida
118 Statutes, is amended to read:

119 186.505 Regional planning councils; powers and duties.—Any
120 regional planning council created hereunder shall have the
121 following powers:

122 ~~(22) To establish and conduct a cross-acceptance~~
123 ~~negotiation process with local governments intended to resolve~~
124 ~~inconsistencies between applicable local and regional plans,~~
125 ~~with participation by local governments being voluntary.~~

126 Section 5. Subsection (4) of section 186.506, Florida
127 Statutes, is amended to read:

128 186.506 Executive Office of the Governor; powers and
129 duties.—The Executive Office of the Governor, or its designee,
130 shall:

131 (4) Conduct an in-depth analysis of the current boundaries
132 of comprehensive planning districts to ensure that the regional
133 planning councils working within them together form a workable
134 system for effective regional planning, and that each council
135 can adequately perform the tasks assigned to it by law. The
136 Executive Office of the Governor shall include in its study the
137 preferences of local general-purpose governments; the effects of
138 population migration, transportation networks, population
139 increases and decreases, economic development centers, trade
140 areas, natural resource systems, federal program requirements,
141 designated air quality nonattainment areas, economic
142 relationships among cities and counties, and media markets; and
143 other data, projections, or studies that it determines to be of
144 significance in establishing district boundaries. The Executive
145 Office of the Governor may recommend to the Legislature ~~make~~

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146 such changes in the district boundaries of the regional planning
147 councils as are found to be feasible and desirable, ~~shall~~
148 ~~complete a review of existing boundaries by January 1, 1994, and~~
149 ~~may revise and update the boundaries from time to time~~
150 ~~thereafter.~~

151 Section 6. Section 186.512, Florida Statutes, is created to
152 read:

153 186.512 Designation of regional planning councils.—The
154 territorial area of the state is subdivided into the following
155 districts for the purpose of regional comprehensive planning.
156 The name and geographic area of each respective district shall
157 accord with the following:

158 (1) West Florida Regional Planning Council: Bay, Escambia,
159 Holmes, Okaloosa, Santa Rosa, Walton, and Washington Counties.

160 (2) Apalachee Regional Planning Council: Calhoun, Franklin,
161 Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, and Wakulla
162 Counties.

163 (3) North Central Florida Regional Planning Council:
164 Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton,
165 Lafayette, Levy, Madison, Marion, Suwannee, Taylor, and Union
166 Counties.

167 (4) Northeast Florida Regional Planning Council: Baker,
168 Clay, Duval, Flagler, Nassau, Putnam, and St. Johns Counties.

169 (5) East Central Florida Regional Planning Council:
170 Brevard, Lake, Orange, Osceola, Seminole, Sumter, and Volusia
171 Counties.

172 (6) Central Florida Regional Planning Council: DeSoto,
173 Hardee, Highlands, Okeechobee, and Polk Counties.

174 (7) Tampa Bay Regional Planning Council: Citrus, Hernando,

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175 Hillsborough, Manatee, Pasco, and Pinellas Counties.

176 (8) Southwest Florida Regional Planning Council: Charlotte,
177 Collier, Glades, Hendry, Lee, and Sarasota Counties.

178 (9) Treasure Coast Regional Planning Council: Indian River,
179 Martin, Palm Beach, and St. Lucie Counties.

180 (10) South Florida Regional Planning Council: Broward,
181 Miami-Dade, and Monroe Counties.

182 Section 7. Section 186.513, Florida Statutes, is amended to
183 read:

184 186.513 Reports.—Each regional planning council shall
185 prepare and furnish an annual report on its activities to the
186 state land planning agency as defined in s. 163.3164 and the
187 local general-purpose governments within its boundaries and,
188 upon payment as may be established by the council, to any
189 interested person. ~~The regional planning councils shall make a~~
190 ~~joint report and recommendations to appropriate legislative~~
191 ~~committees.~~

192 Section 8. Section 253.7828, Florida Statutes, is amended
193 to read:

194 253.7828 Impairment of use or conservation by agencies
195 prohibited.—All agencies of the state, ~~regional planning~~
196 ~~councils,~~ water management districts, and local governments
197 shall recognize the special character of the lands and waters
198 designated by the state as the Cross Florida Greenways State
199 Recreation and Conservation Area and shall not take any action
200 which will impair its use and conservation.

201 Section 9. Paragraph (j) of subsection (4) of section
202 339.135, Florida Statutes, is amended to read:

203 339.135 Work program; legislative budget request;

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204 definitions; preparation, adoption, execution, and amendment.-

205 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.-

206 ~~(j) Notwithstanding paragraph (a) and for the 2014-2015~~
207 ~~fiscal year only, the department may use up to \$15 million of~~
208 ~~appropriated funds to pay the costs of strategic and regionally~~
209 ~~significant transportation projects. Funds may be used to~~
210 ~~provide up to 75 percent of project costs for production-ready~~
211 ~~eligible projects. Preference shall be given to projects that~~
212 ~~support the state's economic regions, or that have been~~
213 ~~identified as regionally significant in accordance with s.~~
214 ~~339.155(4)(c), (d), and (e), and that have an increased level of~~
215 ~~nonstate match. This paragraph expires July 1, 2015.~~

216 Section 10. Paragraph (b) of subsection (4) of section
217 339.155, Florida Statutes, is amended to read:

218 339.155 Transportation planning.-

219 (4) ADDITIONAL TRANSPORTATION PLANS.-

220 (b) Each regional planning council, as provided for in s.
221 186.504, or any successor agency thereto, shall develop, as an
222 element of its strategic regional policy plan, transportation
223 goals and policies. The transportation goals and policies must
224 be prioritized to comply with the prevailing principles provided
225 in subsection (1) and s. 334.046(1). The transportation goals
226 and policies shall be consistent, to the maximum extent
227 feasible, with the goals and policies of the metropolitan
228 planning organization and the Florida Transportation Plan. The
229 transportation goals and policies of the regional planning
230 council will be advisory only and shall be submitted to the
231 department and any affected metropolitan planning organization
232 for their consideration and comments. Metropolitan planning

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233 organization plans and other local transportation plans shall be
234 developed consistent, to the maximum extent feasible, with the
235 regional transportation goals and policies. ~~The regional~~
236 ~~planning council shall review urbanized area transportation~~
237 ~~plans and any other planning products stipulated in s. 339.175~~
238 ~~and provide the department and respective metropolitan planning~~
239 ~~organizations with written recommendations, which the department~~
240 ~~and the metropolitan planning organizations shall take under~~
241 ~~advisement. Further, the regional planning councils shall~~
242 ~~directly assist local governments that are not part of a~~
243 ~~metropolitan area transportation planning process in the~~
244 ~~development of the transportation element of their comprehensive~~
245 ~~plans as required by s. 163.3177.~~

246 Section 11. Subsection (18) of section 380.06, Florida
247 Statutes, is amended to read:

248 380.06 Developments of regional impact.-

249 (18) BIENNIAL REPORTS.-The developer shall submit a
250 biennial report on the development of regional impact to the
251 local government, the regional planning agency, the state land
252 planning agency, and all affected permit agencies in alternate
253 years on the date specified in the development order, unless the
254 development order by its terms requires more frequent
255 monitoring. If the report is not received, ~~the regional planning~~
256 ~~agency or~~ the state land planning agency shall notify the local
257 government. If the local government does not receive the report
258 or receives notification that ~~the regional planning agency or~~
259 the state land planning agency has not received the report, the
260 local government shall request in writing that the developer
261 submit the report within 30 days. The failure to submit the

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262 report after 30 days shall result in the temporary suspension of
263 the development order by the local government. If no additional
264 development pursuant to the development order has occurred since
265 the submission of the previous report, then a letter from the
266 developer stating that no development has occurred shall satisfy
267 the requirement for a report. Development orders that require
268 annual reports may be amended to require biennial reports at the
269 option of the local government.

270 Section 12. Subsections (2) and (3) of section 403.50663,
271 Florida Statutes, are amended to read:

272 403.50663 Informational public meetings.-

273 (2) Informational public meetings shall be held solely at
274 the option of each local government ~~or regional planning council~~
275 ~~if a public meeting is not held by the local government~~. It is
276 the legislative intent that local governments ~~or regional~~
277 ~~planning councils~~ attempt to hold such public meetings. Parties
278 to the proceedings under this act shall be encouraged to attend;
279 however, no party other than the applicant and the department
280 shall be required to attend such informational public meetings.

281 (3) A local government ~~or regional planning council~~ that
282 intends to conduct an informational public meeting must provide
283 notice of the meeting to all parties not less than 5 days prior
284 to the meeting and to the general public in accordance with s.
285 403.5115(5). The expense for such notice is eligible for
286 reimbursement under s. 403.518(2)(c)1.

287 Section 13. Paragraph (a) of subsection (2) of section
288 403.507, Florida Statutes, is amended to read:

289 403.507 Preliminary statements of issues, reports, project
290 analyses, and studies.-

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

296 1. The Department of Economic Opportunity shall prepare a
297 report containing recommendations which address the impact upon
298 the public of the proposed electrical power plant, based on the
299 degree to which the electrical power plant is consistent with
300 the applicable portions of the state comprehensive plan,
301 emergency management, and other such matters within its
302 jurisdiction. The Department of Economic Opportunity may also
303 comment on the consistency of the proposed electrical power
304 plant with applicable strategic regional policy plans or local
305 comprehensive plans and land development regulations.

306 2. The water management district shall prepare a report as
307 to matters within its jurisdiction, including but not limited
308 to, the impact of the proposed electrical power plant on water
309 resources, regional water supply planning, and district-owned
310 lands and works.

311 3. Each local government in whose jurisdiction the proposed
312 electrical power plant is to be located shall prepare a report
313 as to the consistency of the proposed electrical power plant
314 with all applicable local ordinances, regulations, standards, or
315 criteria that apply to the proposed electrical power plant,
316 including any applicable local environmental regulations adopted
317 pursuant to s. 403.182 or by other means.

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

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320 ~~5. Each regional planning council shall prepare a report~~
321 ~~containing recommendations that address the impact upon the~~
322 ~~public of the proposed electrical power plant, based on the~~
323 ~~degree to which the electrical power plant is consistent with~~
324 ~~the applicable provisions of the strategic regional policy plan~~
325 ~~adopted pursuant to chapter 186 and other matters within its~~
326 ~~jurisdiction.~~

327 5.6. The Department of Transportation shall address the
328 impact of the proposed electrical power plant on matters within
329 its jurisdiction.

330 Section 14. Paragraph (a) of subsection (3) and paragraph
331 (a) of subsection (4) of section 403.508, Florida Statutes, are
332 amended to read:

333 403.508 Land use and certification hearings, parties,
334 participants.-

335 (3)(a) Parties to the proceeding shall include:

- 336 1. The applicant.
- 337 2. The Public Service Commission.
- 338 3. The Department of Economic Opportunity.
- 339 4. The Fish and Wildlife Conservation Commission.
- 340 5. The water management district.
- 341 6. The department.
- 342 ~~7. The regional planning council.~~

343 7.8. The local government.

344 8.9. The Department of Transportation.

345 (4)(a) The order of presentation at the certification
346 hearing, unless otherwise changed by the administrative law
347 judge to ensure the orderly presentation of witnesses and
348 evidence, shall be:

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- 349 1. The applicant.
350 2. The department.
351 3. State agencies.
352 4. Regional agencies, including ~~regional planning councils~~
353 ~~and~~ water management districts.
354 5. Local governments.
355 6. Other parties.

356 Section 15. Subsection (5) of section 403.5115, Florida
357 Statutes, is amended to read:

358 403.5115 Public notice.—

359 (5) A local government ~~or regional planning council~~ that
360 proposes to conduct an informational public meeting pursuant to
361 s. 403.50663 must publish notice of the meeting in a newspaper
362 of general circulation within the county or counties in which
363 the proposed electrical power plant will be located no later
364 than 7 days prior to the meeting. A newspaper of general
365 circulation shall be the newspaper that has the largest daily
366 circulation in that county and has its principal office in that
367 county. If the newspaper with the largest daily circulation has
368 its principal office outside the county, the notices shall
369 appear in both the newspaper having the largest circulation in
370 that county and in a newspaper authorized to publish legal
371 notices in that county.

372 Section 16. Paragraph (a) of subsection (2) of section
373 403.526, Florida Statutes, is amended to read:

374 403.526 Preliminary statements of issues, reports, and
375 project analyses; studies.—

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

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

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

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

387 3. The Department of Economic Opportunity shall prepare a
388 report containing recommendations which address the impact upon
389 the public of the proposed transmission line or corridor, based
390 on the degree to which the proposed transmission line or
391 corridor is consistent with the applicable portions of the state
392 comprehensive plan, emergency management, and other matters
393 within its jurisdiction. The Department of Economic Opportunity
394 may also comment on the consistency of the proposed transmission
395 line or corridor with applicable strategic regional policy plans
396 or local comprehensive plans and land development regulations.

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

401 5. Each local government shall prepare a report as to the
402 impact of each proposed transmission line or corridor on matters
403 within its jurisdiction, including the consistency of the
404 proposed transmission line or corridor with all applicable local
405 ordinances, regulations, standards, or criteria that apply to
406 the proposed transmission line or corridor, including local

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407 comprehensive plans, zoning regulations, land development
408 regulations, and any applicable local environmental regulations
409 adopted pursuant to s. 403.182 or by other means. A change by
410 the responsible local government or local agency in local
411 comprehensive plans, zoning ordinances, or other regulations
412 made after the date required for the filing of the local
413 government's report required by this section is not applicable
414 to the certification of the proposed transmission line or
415 corridor unless the certification is denied or the application
416 is withdrawn.

417 ~~6. Each regional planning council shall present a report~~
418 ~~containing recommendations that address the impact upon the~~
419 ~~public of the proposed transmission line or corridor based on~~
420 ~~the degree to which the transmission line or corridor is~~
421 ~~consistent with the applicable provisions of the strategic~~
422 ~~regional policy plan adopted under chapter 186 and other impacts~~
423 ~~of each proposed transmission line or corridor on matters within~~
424 ~~its jurisdiction.~~

425 6.7. The Department of Transportation shall prepare a
426 report as to the impact of the proposed transmission line or
427 corridor on state roads, railroads, airports, aeronautics,
428 seaports, and other matters within its jurisdiction.

429 7.8. The commission shall prepare a report containing its
430 determination under s. 403.537, and the report may include the
431 comments from the commission with respect to any other subject
432 within its jurisdiction.

433 8.9. Any other agency, if requested by the department,
434 shall also perform studies or prepare reports as to subjects
435 within the jurisdiction of the agency which may potentially be

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436 affected by the proposed transmission line.

437 Section 17. Paragraph (a) of subsection (2) and paragraph
438 (a) of subsection (3) of section 403.527, Florida Statutes, are
439 amended to read:

440 403.527 Certification hearing, parties, participants.—

441 (2)(a) Parties to the proceeding shall be:

442 1. The applicant.

443 2. The department.

444 3. The commission.

445 4. The Department of Economic Opportunity.

446 5. The Fish and Wildlife Conservation Commission.

447 6. The Department of Transportation.

448 7. Each water management district in the jurisdiction of
449 which the proposed transmission line or corridor is to be
450 located.

451 8. The local government.

452 ~~9. The regional planning council.~~

453 (3)(a) The order of presentation at the certification
454 hearing, unless otherwise changed by the administrative law
455 judge to ensure the orderly presentation of witnesses and
456 evidence, shall be:

457 1. The applicant.

458 2. The department.

459 3. State agencies.

460 4. Regional agencies, including ~~regional planning councils~~
461 ~~and~~ water management districts.

462 5. Local governments.

463 6. Other parties.

464 Section 18. Subsections (2) and (3) of section 403.5272,

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465 Florida Statutes, are amended to read:

466 403.5272 Informational public meetings.-

467 (2) Informational public meetings shall be held solely at
468 the option of each local government ~~or regional planning~~
469 ~~council~~. It is the legislative intent that local governments ~~or~~
470 ~~regional planning councils~~ attempt to hold such public meetings.
471 Parties to the proceedings under this act shall be encouraged to
472 attend; however, a party other than the applicant and the
473 department is not required to attend the informational public
474 meetings.

475 (3) A local government ~~or regional planning council~~ that
476 intends to conduct an informational public meeting must provide
477 notice of the meeting, with notice sent to all parties listed in
478 s. 403.527(2)(a), not less than 15 days before the meeting and
479 to the general public in accordance with s. 403.5363(4).

480 Section 19. Subsection (4) of section 403.7264, Florida
481 Statutes, is amended to read:

482 403.7264 Amnesty days for purging small quantities of
483 hazardous wastes.-Amnesty days are authorized by the state for
484 the purpose of purging small quantities of hazardous waste, free
485 of charge, from the possession of homeowners, farmers, schools,
486 state agencies, and small businesses. These entities have no
487 appropriate economically feasible mechanism for disposing of
488 their hazardous wastes at the present time. In order to raise
489 public awareness on this issue, provide an educational process,
490 accommodate those entities which have a need to dispose of small
491 quantities of hazardous waste, and preserve the waters of the
492 state, amnesty days shall be carried out in the following
493 manner:

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494 ~~(4) Regional planning councils shall assist the department~~
495 ~~in site selection, public awareness, and program coordination.~~
496 ~~However, the department shall retain full responsibility for the~~
497 ~~state amnesty days program.~~

498 Section 20. Paragraph (a) of subsection (2) of section
499 403.941, Florida Statutes, is amended to read:

500 403.941 Preliminary statements of issues, reports, and
501 studies.—

502 (2)(a) The affected agencies shall prepare reports as
503 provided in this paragraph and shall submit them to the
504 department and the applicant within 60 days after the
505 application is determined sufficient:

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

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

513 3. The Department of Economic Opportunity shall prepare a
514 report containing recommendations which address the impact upon
515 the public of the proposed natural gas transmission pipeline or
516 corridor, based on the degree to which the proposed natural gas
517 transmission pipeline or corridor is consistent with the
518 applicable portions of the state comprehensive plan and other
519 matters within its jurisdiction. The Department of Economic
520 Opportunity may also comment on the consistency of the proposed
521 natural gas transmission pipeline or corridor with applicable
522 strategic regional policy plans or local comprehensive plans and

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523 land development regulations.

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

528 5. Each local government in which the natural gas
529 transmission pipeline or natural gas transmission pipeline
530 corridor will be located shall prepare a report as to the impact
531 of each proposed natural gas transmission pipeline or corridor
532 on matters within its jurisdiction, including the consistency of
533 the proposed natural gas transmission pipeline or corridor with
534 all applicable local ordinances, regulations, standards, or
535 criteria that apply to the proposed natural gas transmission
536 pipeline or corridor, including local comprehensive plans,
537 zoning regulations, land development regulations, and any
538 applicable local environmental regulations adopted pursuant to
539 s. 403.182 or by other means. No change by the responsible local
540 government or local agency in local comprehensive plans, zoning
541 ordinances, or other regulations made after the date required
542 for the filing of the local government's report required by this
543 section shall be applicable to the certification of the proposed
544 natural gas transmission pipeline or corridor unless the
545 certification is denied or the application is withdrawn.

546 ~~6. Each regional planning council in which the natural gas~~
547 ~~transmission pipeline or natural gas transmission pipeline~~
548 ~~corridor will be located shall present a report containing~~
549 ~~recommendations that address the impact upon the public of the~~
550 ~~proposed natural gas transmission pipeline or corridor, based on~~
551 ~~the degree to which the natural gas transmission pipeline or~~

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552 ~~corridor is consistent with the applicable provisions of the~~
553 ~~strategic regional policy plan adopted pursuant to chapter 186~~
554 ~~and other impacts of each proposed natural gas transmission~~
555 ~~pipeline or corridor on matters within its jurisdiction.~~

556 6.7. The Department of Transportation shall prepare a
557 report on the effect of the natural gas transmission pipeline or
558 natural gas transmission pipeline corridor on matters within its
559 jurisdiction, including roadway crossings by the pipeline. The
560 report shall contain at a minimum:

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

565 b. A statement by the department as to the adequacy of the
566 report to the department by the applicant.

567 ~~7.8.~~ The Department of State, Division of Historical
568 Resources, shall prepare a report on the impact of the natural
569 gas transmission pipeline or natural gas transmission pipeline
570 corridor on matters within its jurisdiction.

571 ~~8.9.~~ The commission shall prepare a report addressing
572 matters within its jurisdiction. The commission's report shall
573 include its determination of need issued pursuant to s.
574 403.9422.

575 Section 21. Paragraph (a) of subsection (4) and subsection
576 (6) of section 403.9411, Florida Statutes, are amended to read:

577 403.9411 Notice; proceedings; parties and participants.—

578 (4)(a) Parties to the proceeding shall be:

- 579 1. The applicant.
580 2. The department.

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581 3. The commission.
 582 4. The Department of Economic Opportunity.
 583 5. The Fish and Wildlife Conservation Commission.
 584 6. Each water management district in the jurisdiction of
 585 which the proposed natural gas transmission pipeline or corridor
 586 is to be located.
 587 7. The local government.
 588 ~~8. The regional planning council.~~
 589 8.9. The Department of Transportation.
 590 ~~9.10.~~ The Department of State, Division of Historical
 591 Resources.
 592 (6) The order of presentation at the certification hearing,
 593 unless otherwise changed by the administrative law judge to
 594 ensure the orderly presentation of witnesses and evidence, shall
 595 be:
 596 (a) The applicant.
 597 (b) The department.
 598 (c) State agencies.
 599 (d) Regional agencies, including ~~regional planning councils~~
 600 ~~and~~ water management districts.
 601 (e) Local governments.
 602 (f) Other parties.
 603 Section 22. Subsection (6) of section 419.001, Florida
 604 Statutes, is amended to read:
 605 419.001 Site selection of community residential homes.-
 606 (6) If agreed to by both the local government and the
 607 sponsoring agency, a conflict may be resolved through informal
 608 mediation. The local government shall arrange for the services
 609 of an independent mediator ~~or may utilize the dispute resolution~~

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610 ~~process established by a regional planning council pursuant to~~
611 ~~s. 186.509.~~ Mediation shall be concluded within 45 days of a
612 request therefor. The resolution of any issue through the
613 mediation process shall not alter any person's right to a
614 judicial determination of any issue if that person is entitled
615 to such a determination under statutory or common law.

616 Section 23. Subsection (4) of section 985.682, Florida
617 Statutes, is amended to read:

618 985.682 Siting of facilities; criteria.-

619 (4) When the department requests such a modification and it
620 is denied by the local government, the local government or the
621 department shall initiate the dispute resolution process
622 ~~established under s. 186.509~~ to reconcile differences on the
623 siting of correctional facilities between the department, local
624 governments, and private citizens. ~~If the regional planning~~
625 ~~council has not established a dispute resolution process~~
626 ~~pursuant to s. 186.509,~~ The department shall establish, by rule,
627 procedures for dispute resolution. The dispute resolution
628 process shall require the parties to commence meetings to
629 reconcile their differences. If the parties fail to resolve
630 their differences within 30 days after the denial, the parties
631 shall engage in voluntary mediation or similar process. If the
632 parties fail to resolve their differences by mediation within 60
633 days after the denial, or if no action is taken on the
634 department's request within 90 days after the request, the
635 department must appeal the decision of the local government on
636 the requested modification of local plans, ordinances, or
637 regulations to the Governor and Cabinet. Any dispute resolution
638 process initiated under this section must conform to the time

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639 limitations set forth herein. However, upon agreement of all
640 parties, the time limits may be extended, but in no event may
641 the dispute resolution process extend over 180 days.

642 Section 24. Section 186.0201, Florida Statutes, is
643 repealed.

644 Section 25. Section 260.018, Florida Statutes, is repealed.

645 Section 26. For the 2015-2016 fiscal year, the sum of \$2.5
646 million in nonrecurring funds from the General Revenue Fund is
647 appropriated to the regional planning councils, 75 percent of
648 which must be divided equally among the councils and 25 percent
649 must be allocated according to population. The funds must be
650 used to implement the statutory requirements of chapter 163,
651 Florida Statutes, and the Florida Five-Year Strategic Plan for
652 Economic Development and to address problems of greater than
653 local government concern and provide technical assistance to
654 local governments, economic development organizations, and other
655 stakeholders.

656 Section 27. This act shall take effect July 1, 2015.