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# **Committee on Infrastructure**

**Thursday, March 15, 2007  
8:00 AM  
404 HOB**

**Committee Action**

**Marco Rubio  
Speaker**

**Rep. Mike Davis  
Chair**

# COMMITTEE MEETING REPORT

## Committee on Infrastructure

3/15/2007 8:00:00AM

Location: 404 HOB

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Mike Davis (Chair)	X		
Susan Bucher	X		
Greg Evers	X		
Richard Glorioso	X		
Ed Hooper	X		
Jimmy Patronis	X		
Scott Randolph	X		
Michael Scionti	X		
Nicholas Thompson	X		
<b>Totals:</b>	<b>9</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Thursday, March 15, 2007 11:01:33AM

# COMMITTEE MEETING REPORT

## Committee on Infrastructure

3/15/2007 8:00:00AM

Location: 404 HOB

HB 239 : Driver License Restrictions

*Temporarily Deferred*

Committee meeting was reported out: Thursday, March 15, 2007 11:01:33AM

# COMMITTEE MEETING REPORT

## Committee on Infrastructure

3/15/2007 8:00:00AM

Location: 404 HOB

HB 251 : Regional Transportation Facilities

<input checked="" type="checkbox"/> Favorable With Amendments (4)	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Susan Bucher	X				
Greg Evers	X				
Richard Glorioso	X				
Ed Hooper	X				
Jimmy Patronis	X				
Scott Randolph	X				
Michael Scionti	X				
Nicholas Thompson	X				
Mike Davis (Chair)	X				
<b>Total Yeas: 9</b>		<b>Total Nays: 0</b>			

### Appearances:

Adequate Planning for Urban Services

Diane Salz, Governmental Consultant (Lobbyist) - Information Only

Hillsborough County Planning Commission

2529 Goose Pond Ct.

Tallahassee FL 32308

Phone: (850) 339-8550

Bay Area Regional Transportation Authority

Joe Smith (General Public) - Proponent

Tampa Bay Partnership

3327 Saffold Road

Wimauma FL 33598

Phone: (813) 928-7060

Consistency with Comprehensive Plans

Denise Layne (Lobbyist) - Information Only

Coalition 4 Responsible Growth

2504 Ayers Hill Ct.

Lutz FL

Phone: (813) 246-0485

Consistency with Local Comprehensive Plans

Charles Pattison, Executive Director (Lobbyist) - Information Only

1000 Friends of Florida

926 E. Park Avenue

Tallahassee FL 32301

Phone: (850) 222-6277

Committee meeting was reported out: Thursday, March 15, 2007 11:01:33AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 251

COUNCIL/COMMITTEE ACTION

ADOPTED                                   \_\_\_ (Y/N) 3/15/07  
 ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION               \_\_\_ (Y/N)  
 FAILED TO ADOPT                       \_\_\_ (Y/N)  
 WITHDRAWN                              \_\_\_ (Y/N)  
 OTHER                                    \_\_\_\_\_

1 Council/Committee hearing bill: Infrastructure  
 2 Representative Galvano offered the following:

4           **Amendment**

5           Remove line 234 and insert:  
 6 representatives who are not elected officials, one, but no more  
 7 than two, two of which whom shall  
 8

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. 251

COUNCIL/COMMITTEE ACTION

ADOPTED                                    \_\_\_ (Y/N) 3/15/07  
ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION               \_\_\_ (Y/N)  
FAILED TO ADOPT                       \_\_\_ (Y/N)  
WITHDRAWN                               \_\_\_ (Y/N)  
OTHER                                     \_\_\_\_\_

1 Council/Committee hearing bill: Infrastructure

2 Representative Galvano offered the following:

3

4 **Amendment**

5 Remove line(s) 177-182 and insert:

6 16 members.

7 (a) There shall be one nonvoting, ex officio member of the board

8 who shall be appointed by the secretary of the department, but

9 who must be the district secretary for one of the department

10 districts within the seven-county area of the authority, at the

11 discretion of the secretary of the department.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

Bill No. 251

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y)N 3/15/07  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Council/Committee hearing bill: Infrastructure  
2 Representative Galvano offered the following:

3  
4 **Amendment**

5 Remove line 373 and insert:  
6 potential inconsistencies between plans. The authority's  
7 projects which are transportation oriented and are not subject  
8 to the definitions of development pursuant to F.S. 380.04 shall  
9 be consistent, to the maximum extent practical, with the adopted  
10 local government comprehensive plans at the time they are funded  
11 for construction. Authority projects which are not  
12 transportation oriented and meet the definition of development  
13 pursuant to F.S. 380.04 shall be consistent with the local  
14 comprehensive plans. In carrying out its

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N) 3/15/07  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Council/Committee hearing bill: Infrastructure  
2 Representative Bucher offered the following:

3  
4 **Amendment to Amendment (3) by Representative Galvano**  
5 Remove line 9 and insert:  
6 be consistent with the adopted



# COMMITTEE MEETING REPORT

## Committee on Infrastructure

3/15/2007 8:00:00AM

Location: 404 HOB

HB 513 : Tampa-Hillsborough County Expressway Authority

Favorable With Amendments (1)

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Susan Bucher	X				
Greg Evers	X				
Richard Glorioso	X				
Ed Hooper			X		
Jimmy Patronis	X				
Scott Randolph	X				
Michael Scionti	X				
Nicholas Thompson	X				
Mike Davis (Chair)	X				
<b>Total Yeas: 8</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 15, 2007 11:01:33AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 513

COUNCIL/COMMITTEE ACTION

ADOPTED                                    \_\_\_ (Y/N) 3/15/07  
ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION               \_\_\_ (Y/N)  
FAILED TO ADOPT                       \_\_\_ (Y/N)  
WITHDRAWN                               \_\_\_ (Y/N)  
OTHER                                      \_\_\_\_\_

1 Council/Committee hearing bill: Infrastructure  
2 Representative Homan offered the following:

**Substitute Amendment**

Remove lines 39-73 and insert:

6 Section 2. Section 348.52, Florida Statutes, is amended to  
7 read:

8 348.52 Tampa-Hillsborough County Expressway Authority.--

9 (1) There is hereby created and established a body politic  
10 and corporate, an agency of the state, to be known as the  
11 "Tampa-Hillsborough County Expressway Authority."

12 (2) The governing body of the authority shall consist of a  
13 board of seven voting members and one ex-officio, non-voting  
14 member.

15 (a) One member shall be a non-elected official appointed  
16 by the governing body of the City of Tampa.

17 (b) One member shall be an elected official appointed by  
18 the governing body of the City of Tampa.

19 (c) One member shall be a non-elected official appointed  
20 by the governing body of the City of Temple Terrace.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

21 (d) One member shall be a non-elected official appointed  
22 by the governing body of the City of Plant City.

23 (e) Two members shall be non-elected officials appointed  
24 by the Board of County Commissioners of Hillsborough County.

25 (f) One member shall be an elected official appointed by  
26 the Board of County Commissioners of Hillsborough County.

27 (g) One member shall be the district secretary of the  
28 Department of Transportation serving in the district that  
29 contains Hillsborough County, who shall serve ex officio.

30 ~~(a) Four of the members shall be appointed by the Governor~~  
31 ~~subject to confirmation by the Senate at the next regular~~  
32 ~~session of the Legislature. Refusal or failure of the Senate to~~  
33 ~~confirm an appointment shall create a vacancy.~~

34 (3)1- Each such member's term of office shall be for 4  
35 years or until his or her successor shall have been appointed  
36 and qualified. However, for the purpose of providing staggered  
37 terms, of the initial appointments the first term of the  
38 appointee of the City of Plant City and the first term of one of  
39 the appointees of Hillsborough County shall be for 2 years.

40 (4)2- Vacancies occurring in the governing body for any  
41 such members prior to the expiration of the affected term shall  
42 be filled for the unexpired term in the same manner as the  
43 original appointment.

44 (5)3- The Governor shall have the authority to remove from  
45 office any such member of the governing body in the manner and  
46 for cause defined by the laws of this state.

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# COMMITTEE MEETING REPORT

## Committee on Infrastructure

3/15/2007 8:00:00AM

Location: 404 HOB

HB 815 : Motor Vehicle Dealers

Favorable With Amendments (2)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Susan Bucher	X				
Greg Evers	X				
Richard Glorioso	X				
Ed Hooper	X				
Jimmy Patronis	X				
Scott Randolph	X				
Michael Scionti	X				
Nicholas Thompson	X				
Mike Davis (Chair)	X				
	<b>Total Yeas: 9</b>	<b>Total Nays: 0</b>			

### Appearances:

Dualing of Auto Dealerships

Wade Hoppiog (Lobbyist) - Opponent

Alliance of Automobile Manufacturers

710 North Ridz Road

Tallahassee FL 32303

Phone: (850) 222-7500

Franchise

Ted Smith, President (Lobbyist) - Proponent

Florida Automobile Dealers Association

400 North Meridian

Tallahassee FL

Richard Sox (General Public) - Proponent

Counsel to FADA

Committee meeting was reported out: Thursday, March 15, 2007 11:01:33AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 815

COUNCIL/COMMITTEE ACTION

ADOPTED                                    — (Y)N) 3/15/07  
ADOPTED AS AMENDED                   — (Y/N)  
ADOPTED W/O OBJECTION               — (Y/N)  
FAILED TO ADOPT                       — (Y/N)  
WITHDRAWN                               — (Y/N)  
OTHER                                     —

1 Council/Committee hearing bill: Infrastructure  
2 Representative McKeel offered the following:

3

4 **Amendment**

5 Remove line(s) 54-77 and insert:

6 the applicant or licensee for such repairs or incentives. An  
7 applicant or licensee may not charge a motor vehicle dealer back  
8 subsequent to the payment of a claim unless a representative of  
9 the applicant or licensee has met in person, by telephone, or by  
10 video teleconference with an officer or employee of the dealer  
11 designated by the motor vehicle dealer. At such meeting the  
12 applicant or licensee must have provided a detailed explanation,  
13 with supporting documentation, as to the basis for each of the  
14 claims for which the applicant or licensee proposed to charge-  
15 back the dealer and a written statement containing the basis  
16 upon which the motor vehicle dealer was selected for audit or  
17 review. Thereafter the applicant or licensee must have provided  
18 the motor vehicle dealer's representative a reasonable period  
19 after the meeting within which to respond to the proposed  
20 charge-backs, said period to be commensurate with the volume of  
21 claims under consideration, but in no case less than 45 days

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

22 after such meeting. The applicant or licensee shall be  
23 prohibited from changing or altering the basis for each of the  
24 proposed charge-backs as presented to the motor vehicle dealer's  
25 representative following the conclusion of the audit, unless the  
26 applicant or licensee received new information affecting the  
27 basis for one or more charge-backs. If the applicant or  
28 licensee has claimed the existence of new information, the  
29 dealer must have been given the same right to a meeting and  
30 right to respond as when the charge-back was originally  
31 presented.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. 815

COUNCIL/COMMITTEE ACTION

ADOPTED	—	( <input checked="" type="radio"/> ) (Y/N)	3/15/07
ADOPTED AS AMENDED	—	(Y/N)	
ADOPTED W/O OBJECTION	—	(Y/N)	
FAILED TO ADOPT	—	(Y/N)	
WITHDRAWN	—	(Y/N)	
OTHER	_____		

1 Council/Committee hearing bill: Infrastructure  
 2 Representative McKeel offered the following:

**Amendment**

Remove line(s) 111-116 and insert:

6 alleged breach of the franchise agreement which is not in fact a  
 7 material and substantial breach; or, if the grounds relied upon  
 8 for termination, cancellation, or nonrenewal have not been  
 9 applied in a uniform and consistent manner by the licensee. If  
 10 the notice of discontinuation, cancellation or non-renewal  
 11 relates to an alleged failure of the new motor vehicle dealer's  
 12 sales or service performance obligations under the franchise  
 13 agreement, the new motor vehicle dealer must first be provided  
 14 with at least 180 days to correct the alleged failure before a  
 15 licensee may send the notice of discontinuation, cancellation or  
 16 non-renewal. A

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# COMMITTEE MEETING REPORT

## Committee on Infrastructure

3/15/2007 8:00:00AM

Location: 404 HOB

HB 859 : Florida Educational License Plates

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Susan Bucher	X				
Greg Evers	X				
Richard Glorioso	X				
Ed Hooper			X		
Jimmy Patronis	X				
Scott Randolph	X				
Michael Scionti	X				
Nicholas Thompson	X				
Mike Davis (Chair)	X				
<b>Total Yeas: 8</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 15, 2007 11:01:33AM



# COMMITTEE MEETING REPORT

## Committee on Infrastructure

3/15/2007 8:00:00AM

Location: 404 HOB

HB 973 : Specialty License Plates

*Temporarily Deferred*

Committee meeting was reported out: Thursday, March 15, 2007 11:01:33AM

# COMMITTEE MEETING REPORT

## Committee on Infrastructure

3/15/2007 8:00:00AM

**Location:** 404 HOB

**HB 985 : Transportation**

*Temporarily Deferred*

Committee meeting was reported out: Thursday, March 15, 2007 11:01:33AM

# COMMITTEE MEETING REPORT

## Committee on Infrastructure

3/15/2007 8:00:00AM

**Location:** 404 HOB

### Summary:

#### Committee on Infrastructure

*Thursday March 15, 2007 08:00 am*

HB 239 Temporarily Deferred

HB 251 Favorable With Amendments (4) Yeas: 9 Nays: 0

HB 513 Favorable With Amendments (1) Yeas: 8 Nays: 0

HB 815 Favorable With Amendments (2) Yeas: 9 Nays: 0

HB 859 Favorable Yeas: 8 Nays: 0

HB 973 Temporarily Deferred

HB 985 Temporarily Deferred

Committee meeting was reported out: Thursday, March 15, 2007 11:01:33AM