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# **ECONOMIC AFFAIRS COMMITTEE**

## **Action Packet**

**Thursday, March 31, 2011**

**12:00 P.M.**

**Reed Hall (102 HOB)**

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

**Location:** Reed Hall (102 HOB)

### Summary:

#### Economic Affairs Committee

Thursday March 31, 2011 12:00 pm

CS/HB 107	Favorable	Yeas: 16	Nays: 0
HM 189	Favorable	Yeas: 16	Nays: 0
CS/CS/CS/HB 283	Favorable With Committee Substitute Amendment 1 Adopted Without Objection	Yeas: 16	Nays: 1
CS/CS/HB 601	Favorable	Yeas: 16	Nays: 0
HB 865	Favorable	Yeas: 18	Nays: 0
HB 943	Favorable	Yeas: 17	Nays: 0
CS/HB 1007	Favorable	Yeas: 17	Nays: 0
HB 1009	Favorable	Yeas: 17	Nays: 0
HB 1045	Favorable	Yeas: 15	Nays: 1
CS/HB 1063	Favorable	Yeas: 17	Nays: 0
CS/HB 1115	Temporarily Deferred		
CS/HB 1303	Favorable With Committee Substitute Amendment 1 Adopted Without Objection Amendment 2 Adopted Without Objection	Yeas: 17	Nays: 0
HB 4107	Temporarily Deferred		
CS/HB 4143	Favorable With Committee Substitute Amendment 1 Adopted Without Objection	Yeas: 17	Nays: 0
HB 4191	Favorable	Yeas: 17	Nays: 0
HB 4203	Favorable	Yeas: 17	Nays: 0
HB 4205	Favorable	Yeas: 17	Nays: 0
HB 7129	Favorable With Committee Substitute Amendment 1 Adopted Without Objection Amendment 2 Adopted Without Objection	Yeas: 13	Nays: 5

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

**Location:** Reed Hall (102 HOB)

Amendment 3	Adopted Without Objection		
Amendment 4	Adopted Without Objection		
Amendment 5	Adopted Without Objection		
Amendment 6	Adopted Without Objection		
Amendment 7	Adopted Without Objection		
Amendment 8	Adopted Without Objection		
Amendment 9	Adopted Without Objection		
Amendment 10	Adopted Without Objection		
Amendment 11	Adopted as Amended		
Amendment 11a	Adopted Without Objection		
Amendment 11b	Adopted Without Objection		
Amendment 12	Adopted Without Objection		
Amendment 13	Withdrawn		
Amendment 14s	Adopted Without Objection		
Amendment 15	Adopted Without Objection		
Amendment 16	Adopted	Yeas: 11	Nays: 6
Amendment 17	Adopted Without Objection		
HB 7163	Favorable	Yeas: 17	Nays: 0
HB 7165	Favorable	Yeas: 17	Nays: 0
HB 7167	Favorable	Yeas: 17	Nays: 0
HB 7169	Favorable	Yeas: 16	Nays: 0
HB 7171	Favorable	Yeas: 16	Nays: 0
HB 7173	Favorable	Yeas: 18	Nays: 0
HB 7175	Favorable	Yeas: 18	Nays: 0
HB 7177	Favorable	Yeas: 18	Nays: 0
HB 7181	Favorable	Yeas: 16	Nays: 1

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dorothy Hukill (Chair)	X		
Joseph Abruzzo	X		
Frank Artiles	X		
Jim Boyd	X		
Chris Dorworth	X		
Brad Drake	X		
Doug Holder	X		
Evan Jenne	X		
Peter Nehr	X		
Bryan Nelson	X		
Jeanette Nuñez	X		
Steven Perman	X		
Ronald Renuart	X		
Kenneth Roberson	X		
Irving Slosberg	X		
Geraldine Thompson	X		
James Waldman	X		
Ritch Workman	X		
<b>Totals:</b>	<b>18</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

CS/HB 107 : Local Government Accountability

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth			X		
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HM 189 : Free Trade Agreements Between the United States and Colombia, Panama, and the Republic of Korea

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth			X		
Brad Drake	X				
Doug Holder	X				
Evan Jenne			X		
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

### Appearances:

Free Trade Agreements

Hart, David (Lobbyist) - Waive In Support

Florida Chamber of Commerce

136 Bronough Street

Tallahassee FL 32301

Phone: 850-521-1200

Free Trade Agreements

Gasco, Malvena - Waive In Support

The Boeing Company

150 E Robinson

Orlando FL

Free Trade Agreements

Rubin, Michael (Lobbyist) - Waive In Support

Florida Ports Council

502 E Jefferson St

Tallahassee FL 32301

Phone: 850-222-8028

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

CS/CS/CS/HB 283 : Seaports

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo		X			
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 1</b>			

### CS/CS/CS/HB 283 Amendments

#### Amendment 1

Adopted Without Objection

#### Appearances:

##### Seaports

West, Sally - Director of Government Affairs (Lobbyist) - Waive In Support

Florida Retail Federation

PO Box 10024

Tallahassee FL 32302-2024

Phone: (850)222-4082

##### Seaports

Labrador, Eddy (Lobbyist) - Information Only

Broward County

205 S Adams Street

##### Seaports

Ericks, Candice (Lobbyist) - Waive In Support

JM Family Enterprises, Inc

205 S Adams Street

Phone: 954-648-1209

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

**Location:** Reed Hall (102 HOB)

Seaports

Sansom, Jerry (Lobbyist) - Waive In Support

Port Canaveral

P.O Box 98

Cocoa Beach FL 32923

Phone: (321)777-8130

Seaports

Blakely, Ward (Lobbyist) - Waive In Support

JAXPORT

115 E Park Avenue

Tallahassee FL 32301

Phone: 850-681-400

Seaports

West, Ryan (Lobbyist) - Waive In Support

Florida Chamber of Commerce

136 S Bronough Street

Tallahassee FL 32301

Phone: 850-521-1251

Seaports

Rubin, Michael (Lobbyist) - Waive In Support

Florida Ports Council

502 E Jefferson Street

Tallahassee FL 32301

Phone: 850-222-8028

Seaports

Perdue, Tammy - General Counsel (Lobbyist) - Waive In Support

Associated Industries of Florida

516 N. Adams St.

Tallahassee FL 32301

Phone: 850-224-7173

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Young offered the following:

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

5 Remove lines 601-742 and insert:

6 Section 6. Subsection (13) of section 311.09, Florida  
7 Statutes, is created to read:

8 (13) Until July 1, 2014, Citrus County may apply for a  
9 grant through the council to perform a feasibility study  
10 regarding the establishment of a port in Citrus County. The  
11 council shall evaluate such application in accordance with  
12 subsections (5) - (9) and, if approved, the Department of  
13 Transportation shall include the feasibility study in its budget  
14 request pursuant to subsection (10).

15  
16  
17 -----  
18 **T I T L E A M E N D M E N T**

19 Remove lines 38-54 and insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/CS/HB 283 (2011)

Amendment No.

20 | 311.09, F.S., providing that Citrus County may apply for a  
21 | grant for a feasibility study through the Florida Seaport  
22 | Transportation and Economic Development Council; providing for  
23 | the evaluation of the application; requiring the Department of  
24 | Transportation to include the study in its budget request under  
25 | certain circumstances; providing an effective date.  
26 |

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

CS/CS/HB 601 : Road Designations

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

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# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 865 : Town of Southwest Ranches, Broward County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 18</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 943 : Capital Formation for Infrastructure Projects

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### Appearances:

Growth Management

Adams, Leticia M. - Director of Infrastructure Policy - Waive In Support

Florida Chamber of Commerce

136 S Bronough Street

Tallahassee FL 32301

Phone: 850-544-6866

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

CS/HB 1007 : Insurer Insolvency

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### Appearances:

Insurer Insolvency

Ryan, Joy (Lobbyist) - Waive In Support

Florida Insurance Guaranty Association

204 S Monroe Street

Tallahassee FL 32301

Phone: (850)681-6710

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 1009 : City of Jacksonville, Duval County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 1045 : Loxahatchee Groves Water Control District, Palm Beach County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake		X			
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 15</b>		<b>Total Nays: 1</b>			

### Appearances:

Loxahatchee Groves Water Control District  
Ramba, David (Lobbyist) - Waive In Support  
Loxahatchee Groves Water Control District  
101 N Monroe St  
Tallahassee FL 32301  
Phone: (850)727-7087

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM



# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/HB 1063 : Canaveral Port District, Brevard County**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/HB 1115 : Cemeteries**

*Temporarily Deferred*

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

CS/HB 1303 : Consumer Protection

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### CS/HB 1303 Amendments

#### Amendment 1

Adopted Without Objection

#### Amendment 2

Adopted Without Objection

### Appearances:

Consumer Protection  
Josko, Todd (Lobbyist) - Waive In Support  
Integracllick, LLC  
2900 W Azelle Stgreet, Unit A  
Tampa FL 33609  
Phone: 813-374-4618

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1303 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Holder offered the following:

3

4

**Amendment**

5

Remove lines 32 through 34 and insert:

6

7

8

9

2. Solicits the purchase of such good or service over the  
Internet through an initial merchant after the consumer has  
initiated a transaction with the initial merchant.

10

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative(s) Holder offered the following:

3  
4  
5  
6  
7  
8  
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11  
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15  
16  
17  
18

**Amendment**

Remove lines 69 through 107 and insert:

3. A posttransaction third-party seller shall send the consumer written notice confirming a transaction by first class United States Mail or e-mail, prior to the processing of the consumer's credit card, or otherwise charging the consumer, or shortly thereafter. Such notice shall clearly and conspicuously disclose the following:

- a. The good or service purchased.
- b. The amount that the consumer will be charged.
- c. The timing and frequency of charges.
- d. A short and plain statement disclosing the posttransaction third-party seller's cancellation and refund policy.

## Amendment No. 2

19 e. A telephone number, mailing address, internet address,  
20 and e-mail address where the posttransaction third-party seller  
21 can be contacted.

22 f. The name or brand name of the initial merchant, if  
23 known.

24 g. The name or brand name of the posttransaction third-  
25 party seller.

26 h. That the posttransaction third-party seller is an  
27 unaffiliated and separate entity from the initial merchant.

28 i. That the consumer is being charged by the  
29 posttransaction third-party seller for a transaction that is  
30 separate from the consumer's transaction with the initial  
31 merchant.

32  
33 4. If the notice described in subparagraph 3. is sent by e-  
34 mail, the only words appearing in the subject line shall be  
35 "Notice that (...name or brand name of posttransaction third-  
36 party seller...) is charging your (...type of account...)  
37 account."

38 (3) An initial merchant may not disclose a consumer's  
39 credit card number, debit card number, bank account number, or  
40 other account number, or disclose other consumer billing  
41 information, to a posttransaction third-party seller.

42 (4) A posttransaction third-party seller may not:

43 (a) Charge a consumer without providing a simple mechanism  
44 for the consumer to cancel the good or service, and stop  
45 charges, within a reasonable time after delivery of the written  
46 notice confirming the transaction; or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1303 (2011)

Amendment No. 2

47        (b) Change its vendor code, or otherwise materially change  
48 the way the posttransaction third-party seller is identified on  
49 the consumer's account, more than once per year, unless the  
50 posttransaction third-party seller provides the consumer with  
51 written notice of the change.

52

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

**Location:** Reed Hall (102 HOB)

**HB 4107 : Journeymen**

*Temporarily Deferred*

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM



# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

CS/HB 4143 : Restaurants Licensed to Sell Wine on the Premises

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### CS/HB 4143 Amendments

#### Amendment 1

Adopted Without Objection

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4143 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Dorworth offered the following:

3

4 **Amendment**

5 Remove line 26 and insert:

6 the bottle of wine and ~~full-course~~ meal shall be provided by the

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

**Location:** Reed Hall (102 HOB)

**HB 4191 : Palm Beach County**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 4203 : Okaloosa County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 4205 : Pinecraft Lighting District, Sarasota County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth			X		
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### Appearances:

Pinecraft Lighting District  
Hosack, Marsha -Intergovernmental Relations Manager (Lobbyist) - Waive In Support  
Sarasota County Government  
1660 Ringling Blvd  
Sarasota FL 34236  
Phone: (941)650-6968

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 7129 : Growth Management

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne		X			
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman		X			
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg		X			
Geraldine Thompson		X			
James Waldman		X			
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 5</b>			

### HB 7129 Amendments

#### Amendment 1

Adopted Without Objection

#### Amendment 2

Adopted Without Objection

#### Amendment 3

Adopted Without Objection

#### Amendment 4

Adopted Without Objection

#### Amendment 5

Adopted Without Objection

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

**Location:** Reed Hall (102 HOB)

### Amendment 6

*Adopted Without Objection*

### Amendment 7

*Adopted Without Objection*

### Amendment 8

*Adopted Without Objection*

### Amendment 9

*Adopted Without Objection*

### Amendment 10

*Adopted Without Objection*

### Amendment 11

*Adopted as Amended*

### Amendment 11a

*Adopted Without Objection*

### Amendment 11b

*Adopted Without Objection*

### Amendment 12

*Adopted Without Objection*

### Amendment 13

*Withdrawn*

### Amendment 14s

*Adopted Without Objection*

### Amendment 15

*Adopted Without Objection*

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

### Amendment 16

Adopted

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo		X			
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne		X			
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman		X			
Ronald Renuart	X				
Kenneth Roberson			X		
Irving Slosberg		X			
Geraldine Thompson		X			
James Waldman		X			
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yays: 11</b>		<b>Total Nays: 6</b>			

### Amendment 17

Adopted Without Objection

### Appearances:

Growth Management  
Poole, Eric (Lobbyist) - Opponent  
Florida Association of Counties  
PO Box 549  
Tallahassee FL 32302  
Phone: (850)922-4300

Growth Management  
Matthews, Ryan - Legislative Advocate (Lobbyist) - Opponent  
Florida League of Cities  
300 S Bronough Street, Suite 300  
Tallahassee FL 32302  
Phone: 850-222-9684

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM



# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

**Location:** Reed Hall (102 HOB)

Growth Management

Anderson, Mark - Waive In Support

Nassau County Board of County Commissioners

Growth Management

Bowman, Janet (Lobbyist) - Opponent

Nature Conservancy, The

625 N Adams St

Tallahassee FL 32301

Phone: (850)222-0199

Growth Management

Castille, Colleen M. - Principal, The Fiorentino Group (Lobbyist) - Information Only

PARC Development Group

200 W College Avenue, #311B

Tallahassee FL

Phone: 850-566-5791

Growth Management

Adams, Leticia M. (Lobbyist) - Waive In Support

Florida Chamber of Commerce

136 S Bronough Street

Tallahassee FL 32301

Phone: 850-544-6866

Growth Management

Shelley, Linda (Lobbyist) - Waive In Support

Association of Florida Community Developers

101 N Monroe Street, Suite 1090

Tallahassee FL 32312

Phone: 850-681-4260

Growth Management

Gentry, Richard (Lobbyist) - Waive In Support

Associated Industries of FL

2305 Braeburn Circle

Tallahassee FL 32309

Phone: 850-251-1937

Growth Management

Linnan, Nancy (Lobbyist) - Waive In Support

212 S Monroe St Ste 500

Tallahassee FL 32301-1866

Phone: (850)224-1585

Growth Management

Buzzett, Billy - Secretary (Lobbyist) (State Employee) - Proponent

Department of Community Affairs

2555 Shumard Oak Boulevard

Tallahassee FL 32399

Phone: 850-830-7384

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# **COMMITTEE MEETING REPORT**

## **Economic Affairs Committee**

**3/31/2011 12:00:00PM**

**Location:** Reed Hall (102 HOB)

Growth Management

Pattison, Charles (Lobbyist) - Opponent

1000 Friends of Florida

308 N Monroe Street

Tallahassee FL 32301

Phone: 850-222-6277

**Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM**

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Workman offered the following:

3  
4 **Amendment**

5 Remove lines 613-617 and insert:

6 ~~(49)(29)~~ "Urban service area" means ~~built-up~~ areas  
7 identified in the comprehensive plan where public facilities and  
8 services, including, but not limited to, central water and sewer  
9 capacity and roads, are already in place or are identified in  
10 the capital improvements element. ~~committed in the first 3 years~~  
11 ~~of the capital improvement schedule. In addition, for counties~~  
12 ~~that qualify as dense urban~~

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Workman offered the following:

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**Amendment (with title amendment)**

Between lines 935 and 936, insert:

Section 11. Subsections (6) and (9) of section 163.3175, Florida Statutes, are amended to read:

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

(6) The affected local government shall take into consideration any comments provided by the commanding officer or his or her designee pursuant to subsection (4) and must also be sensitive to private property rights and not be unduly restrictive on those rights. The affected local government shall forward a copy of any comments regarding comprehensive plan amendments to the state land planning agency.

(9) If a local government, as required under s. 163.3177(6) (a), does not adopt criteria and address

Amendment No. 2

20 compatibility of lands adjacent to or closely proximate to  
 21 existing military installations in its future land use plan  
 22 element by June 30, 2012, the local government, the military  
 23 installation, the state land planning agency, and other parties  
 24 as identified by the regional planning council, including, but  
 25 not limited to, private landowner representatives, shall enter  
 26 into mediation conducted pursuant to s. 186.509. If the local  
 27 government comprehensive plan does not contain criteria  
 28 addressing compatibility by December 31, 2013, the agency may  
 29 notify the Administration Commission. The Administration  
 30 Commission may impose sanctions pursuant to s. 163.3184(8~~11~~).  
 31 Any local government that amended its comprehensive plan to  
 32 address military installation compatibility requirements after  
 33 2004 and was found in compliance, is deemed in compliance with  
 34 the provisions of this subsection until the local government  
 35 conducts its evaluation and appraisal review pursuant to s.  
 36 163.3191 and determines that amendments are necessary to meet  
 37 updated statutory requirements.

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

41                   Between lines 18 and 19, insert:  
 42  
 43                   amending s. 163.3175, F.S.; providing factors additional factors  
 44                   for local government consideration in impacts to military  
 45                   installations; clarifying requirements for adopting criteria to  
 46                   address compatibility of lands relating to military  
 47                   installations ; amending

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Workman offered the following:

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**Amendment**

Remove lines 1158-1166 and insert:  
 comprehensive planning process. To that end, in the preparation  
 of a comprehensive plan or element thereof, and in the  
 comprehensive plan or element as adopted, the governing body  
 shall include a specific policy statement indicating the  
 relationship of the proposed development of the area to the  
 comprehensive plans of adjacent municipalities, the county,  
 adjacent counties, or the region and ~~to the state comprehensive~~  
~~plan~~, as the case may require and as such adopted plans or plans  
 in preparation may exist.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Community & Military  
2 Affairs Subcommittee  
3 Representative(s) Workman offered the following:

4  
5 **Amendment**

6 Remove line 1273 and insert:

7 Florida's Bureau of Economic and Business Research for at least  
8 a 10-year planning period unless otherwise limited under s.  
9 380.05 including related rules of the Administration Commission.

10

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Workman offered the following:

3  
4 **Amendment**

5 Remove lines 4704-4723 and insert:

6 a. The Department of Environmental Protection shall limit  
7 its comments to the subjects of air and water pollution,  
8 wetlands and other surface waters of the state, federal and  
9 state owned lands and interest in lands, including state parks,  
10 greenways and trails, and conservation easements, solid waste,  
11 water and wastewater treatment, and the Everglades ecosystem  
12 restoration.

13 b. The Department of State shall limit its comments to the  
14 subjects of historic and archeological resources.

15 c. The Department of Transportation shall limit its  
16 comments to the subject of the strategic intermodal system.

17 d. The Fish and Wildlife Conservation Commission shall  
18 limit its comments to subjects relating to fish and wildlife  
19 habitat and listed species and their habitat.



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 5

20        e. The Department of Agriculture and Consumer Services  
21        shall limit its comments to the subjects of agriculture,  
22        forestry, and aquaculture issues.

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

25        g. The appropriate water management district shall limit  
26        its comments to flood protection and floodplain management,  
27        wetlands and other surface waters, and regional water supply.  
28

Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Workman offered the following:

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**Amendment**

Remove lines 4736-4758 and insert:

amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180 day limitation shall not apply to amendments processed pursuant to s. 380.06.

2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis, shall be transmitted within 10 days after the second public hearing to the state land planning agency and any other agency or local government that provided timely comments under subsection (3)(b)2.

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days of receipt of an amendment package. For purposes of completeness, an

Amendment No. 6

20 amendment shall be deemed complete if it contains a full,  
21 executed copy of the adoption ordinance or ordinances; in the  
22 case of a text amendment, a full copy of the amended language in  
23 legislative format with new words inserted in the text  
24 underlined, and words deleted stricken with hyphens; in the case  
25 of a future land use map amendment, a copy of the future land  
26 use map clearly depicting the parcel, its existing future land  
27 use designation, and its adopted designation; and a copy of any  
28 data and analyses the local government deems appropriate.

29 4. An amendment adopted under the provisions of this  
30 paragraph shall not become effective until 31 days after the  
31 state land planning agency notifies the local government that  
32 the plan amendment package is complete. Amendments listed in  
33 paragraph (2)(c) and subject to the state coordinated review  
34 process shall go into effect pursuant to the state land planning  
35 agency's notice of intent. If timely challenged, an

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 7

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Workman offered the following:

3  
4 **Amendment**

5 Remove lines 4934-4989 and insert:

6 important state resources and facilities. Any objection  
7 regarding an important state resource or facility that will be  
8 adversely impacted by the adopted plan or plan amendment shall  
9 also state with specificity how the plan or plan amendment will  
10 adversely impact the important state resource or facility and  
11 shall identify measures the local government may take to  
12 eliminate, reduce, or mitigate the adverse impacts. When a  
13 federal, state, or regional agency has implemented a permitting  
14 program, ~~the state land planning agency shall not require a~~  
15 local government is not required to duplicate or exceed that  
16 permitting program in its comprehensive plan or to implement  
17 such a permitting program in its land development regulations.  
18 Nothing contained herein shall prohibit the state land planning  
19 agency in conducting its review of local plans or plan

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 7

20 amendments from making objections, recommendations, and comments  
21 ~~or making compliance determinations~~ regarding densities and  
22 intensities consistent with the provisions of this part. In  
23 preparing its comments, the state land planning agency shall  
24 only base its considerations on written, and not oral, comments,  
25 ~~from any source.~~

26 2.(d) The state land planning agency review shall identify  
27 all written communications with the agency regarding the  
28 proposed plan amendment. ~~If the state land planning agency does~~  
29 ~~not issue such a review, it shall identify in writing to the~~  
30 ~~local government all written communications received 30 days~~  
31 ~~after transmittal.~~ The written identification must include a  
32 list of all documents received or generated by the agency, which  
33 list must be of sufficient specificity to enable the documents  
34 to be identified and copies requested, if desired, and the name  
35 of the person to be contacted to request copies of any  
36 identified document. ~~The list of documents must be made a part~~  
37 ~~of the public records of the state land planning agency.~~

38 (e)(7) Local government review of comments; adoption of  
39 plan or amendments and transmittal.--

40 (a) The local government shall review the report ~~written~~  
41 ~~comments~~ submitted to it by the state land planning agency, if  
42 any, and written comments submitted to it by any other person,  
43 ~~agency, or government. Any comments, recommendations, or~~  
44 ~~objections and any reply to them shall be public documents, a~~  
45 ~~part of the permanent record in the matter, and admissible in~~  
46 ~~any proceeding in which the comprehensive plan or plan amendment~~  
47 ~~may be at issue.~~ The local government, upon receipt of the

Amendment No. 7

48 report written comments from the state land planning agency,  
49 shall follow the process in paragraph (3)(c) for the adoption of  
50 its plan or plan amendment. Following the state land planning  
51 agency's completeness determination pursuant to subparagraph  
52 (3)(c)3. regarding the adopted plan or plan amendment, the state  
53 land planning agency shall have 45 days to determine if the plan  
54 or plan amendment is in compliance with this act. Unless the  
55 plan or plan amendment is substantially changed from the one  
56 commented on, the state land planning agency's compliance  
57 determination shall be limited to objections raised in the  
58 objections, recommendation, and comments report. During the time  
59 period provided for in this subsection, the state land planning  
60 agency shall issue, through a senior administrator or the  
61 secretary, a notice of intent to find that the plan or plan  
62 amendment is in compliance or not in compliance. The state land  
63 planning agency shall post a copy of the notice of intent on the  
64 agency's internet site. Publication by the state land planning  
65 agency of the notice of intent on the state land planning  
66 agency's internet site shall be prima facie evidence of  
67 compliance with the publication requirements of this section.  
68 ~~shall have 120 days to adopt or~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 8

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Workman offered the following:

**Amendment (with title amendment)**

Remove lines 5169-5299 and insert:

3  
 4  
 5  
 6 The state land planning agency may challenge a plan amendment  
 7 that has substantially changed from the version on which the  
 8 agencies provided comments but only upon a determination by the  
 9 state land planning agency that an important state resource or  
 10 facility will be adversely impacted.

11 2. If the state land planning agency issues a notice of  
 12 intent to find the comprehensive plan or plan amendment not in  
 13 compliance with this act, the notice of intent shall be  
 14 forwarded to the Division of Administrative Hearings of the  
 15 Department of Management Services, which shall conduct a  
 16 proceeding under ss. 120.569 and 120.57 in the county of and  
 17 convenient to the affected local jurisdiction. The parties to  
 18 the proceeding shall be the state land planning agency, the  
 19 affected local government, and any affected person who

Amendment No. 8

20 intervenes. No new issue may be alleged as a reason to find a  
21 plan or plan amendment not in compliance in an administrative  
22 pleading filed more than 21 days after publication of notice  
23 unless the party seeking that issue establishes good cause for  
24 not alleging the issue within that time period. Good cause shall  
25 not include excusable neglect.

26 (c) An administrative law judge shall hold a hearing in  
27 the affected local jurisdiction on whether the plan or plan  
28 amendment is in compliance.

29 1. In challenges filed by an affected person, the  
30 comprehensive plan or plan amendment shall be determined to be  
31 in compliance if the local government's determination of  
32 compliance is fairly debatable.

33 2.a. In challenges filed by the state land planning  
34 agency, the local government's determination that the  
35 comprehensive plan or plan amendment is in compliance is  
36 presumed to be correct, and the local government's determination  
37 shall be sustained unless it is shown by a preponderance of the  
38 evidence that the comprehensive plan or plan amendment is not in  
39 compliance.

40 b. In challenges filed by the state land planning agency,  
41 the local government's determination that elements of its plan  
42 are related to and consistent with each other shall be sustained  
43 if the determination is fairly debatable.

44 3. In challenges filed by the state land planning agency  
45 that require a determination by the agency that an important  
46 state resource or facility will be adversely impacted by the  
47 adopted plan or plan amendment, the local government may contest



Amendment No. 8

48 the agency's determination of an important state resource or  
49 facility. The state land planning agency shall prove its  
50 determination by clear and convincing evidence.

51 (d) If the administrative law judge recommends that the  
52 amendment be found not in compliance, the judge shall submit the  
53 recommended order to the Administration Commission for final  
54 agency action. The Administration Commission shall enter a final  
55 order within 45 days after its receipt of the recommended order.

56 (e) If the administrative law judge recommends that the  
57 amendment be found in compliance, the judge shall submit the  
58 recommended order to the state land planning agency.

59 1. If the state land planning agency determines that the  
60 plan amendment should be found not in compliance, the agency  
61 shall refer, within 30 days after receipt of the recommended  
62 order, the recommended order and its determination to the  
63 Administration Commission for final agency action.

64 2. If the state land planning agency determines that the  
65 plan amendment should be found in compliance, the agency shall  
66 enter its final order not later than 30 days after receipt of  
67 the recommended order.

68 (f) Parties to a proceeding under this subsection may  
69 enter into compliance agreements using the process in subsection  
70 (6).

71 (6) COMPLIANCE AGREEMENT.—

72 (a) At any time after the filing of a challenge, the state  
73 land planning agency and the local government may voluntarily  
74 enter into a compliance agreement to resolve one or more of the  
75 issues raised in the proceedings. Affected persons who have

Amendment No. 8

76 initiated a formal proceeding or have intervened in a formal  
77 proceeding may also enter into a compliance agreement with the  
78 local government. All parties granted intervenor status shall be  
79 provided reasonable notice of the commencement of a compliance  
80 agreement negotiation process and a reasonable opportunity to  
81 participate in such negotiation process. Negotiation meetings  
82 with local governments or intervenors shall be open to the  
83 public. The state land planning agency shall provide each party  
84 granted intervenor status with a copy of the compliance  
85 agreement within 10 days after the agreement is executed. The  
86 compliance agreement shall list each portion of the plan or plan  
87 amendment that has been challenged, and shall specify remedial  
88 actions that the local government has agreed to complete within  
89 a specified time in order to resolve the challenge, including  
90 adoption of all necessary plan amendments. The compliance  
91 agreement may also establish monitoring requirements and  
92 incentives to ensure that the conditions of the compliance  
93 agreement are met.

94 (b) Upon the filing of a compliance agreement executed by  
95 the parties to a challenge and the local government with the  
96 Division of Administrative Hearings, any administrative  
97 proceeding under ss. 120.569 and 120.57 regarding the plan or  
98 plan amendment covered by the compliance agreement shall be  
99 stayed.

100 (c) Before its execution of a compliance agreement, the  
101 local government must approve the compliance agreement at a  
102 public hearing advertised at least 10 days before the public  
103 hearing in a newspaper of general circulation in the area in

Amendment No. 8

104 accordance with the advertisement requirements of chapter 125 or  
105 166, as applicable.

106 (d) The local government shall hold a single adoption  
107 public hearing for remedial amendments.

108 (e) For challenges to amendments adopted under the  
109 expedited review process, if the local government adopts a  
110 comprehensive plan amendment pursuant to a compliance agreement,  
111 an affected person or the state land planning agency may file a  
112 revised challenge with the Division of Administrative Hearings  
113 within 15 days after the adoption of the remedial amendment.

114 (f) For challenges to amendments adopted under the state  
115 coordinated process, the state land planning agency, upon  
116 receipt of a plan or plan amendment adopted pursuant to a  
117 compliance agreement, shall issue a cumulative notice of intent  
118 addressing both the remedial amendment and the plan or plan  
119 amendment that was the subject of the agreement.

120 1. If the local government adopts a comprehensive plan or  
121 plan amendment pursuant to a compliance agreement and a notice  
122 of intent to find the plan amendment in compliance is issued,  
123 the state land planning agency shall forward the notice of  
124 intent to the Division of Administrative Hearings and the  
125 administrative law judge shall realign the parties in the  
126 pending proceeding under ss. 120.569 and 120.57, which shall  
127 thereafter be governed by the process contained in paragraphs  
128 (5) (a) and (5) (c)1., including provisions relating to challenges  
129 by an affected person, burden of proof, and issues of a  
130 recommended order and a final order. Parties to the original  
131 proceeding at the time of realignment may continue as parties

Amendment No. 8

132 without being required to file additional pleadings to initiate  
133 a proceeding, but may timely amend their pleadings to raise any  
134 challenge to the amendment that is the subject of the cumulative  
135 notice of intent, and must otherwise conform to the rules of  
136 procedure of the Division of Administrative Hearings. Any  
137 affected person not a party to the realigned proceeding may  
138 challenge the plan amendment that is the subject of the  
139 cumulative notice of intent by filing a petition with the agency  
140 as provided in subsection (5). The agency shall forward the  
141 petition filed by the affected person not a party to the  
142 realigned proceeding to the Division of Administrative Hearings  
143 for consolidation with the realigned proceeding. If the  
144 cumulative notice of intent is not challenged, the state land  
145 planning agency shall request that the Division of  
146 Administrative Hearings relinquish jurisdiction to the state  
147 land planning agency for issuance of a final order.

148 2. If the local government adopts a comprehensive plan  
149 amendment pursuant to a compliance agreement and a notice of  
150 intent to find the plan amendment not in compliance is issued,  
151 the state land planning agency shall forward the notice of  
152 intent to the Division of Administrative Hearings, which shall  
153 consolidate the proceeding with the pending proceeding and  
154 immediately set a date for hearing in the pending proceeding  
155 under ss. 120.569 and 120.57. Affected persons who are not a  
156 party to the underlying proceeding under ss. 120.569 and 120.57  
157 may challenge the plan amendment adopted pursuant to the  
158 compliance agreement by filing a petition pursuant to subsection  
159 (5) (a).

Amendment No. 8

160

161 (g) This subsection does not prohibit a local government  
162 from amending portions of its comprehensive plan other than  
163 those that are the subject of a challenge. However, such  
164 amendments to the plan may not be inconsistent with the  
165 compliance agreement.

166 (h) Nothing in this subsection is intended to require

167

168

169

-----

170

**T I T L E   A M E N D M E N T**

171

Remove line 72 and insert:

172

review of comments; deleting and adding provisions relating to  
173 notice

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 9

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Workman offered the following:

3  
4  
5  
6  
7  
8  
9  
10

**Amendment**

Remove lines 6274-6275 and insert:

(5) ~~(12)~~ The state land planning agency shall not adopt rules to implement this section, other than procedural rules or a schedule indicating when local governments must comply with the requirements of this section.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 10

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Workman offered the following:

3

4 **Amendment**

5 Remove line 6343 and insert:

6 development agreement may ~~shall~~ not exceed 30 ~~20~~ years, unless  
7 it

Amendment No. 11

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED <u>AS AMENDED</u>	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative(s) Workman offered the following:

4 **Amendment**

5 Remove lines 6398-6793 and insert:

6 163.3245 ~~Optional~~ Sector plans.—

7 (1) In recognition of the benefits of ~~conceptual~~ long-  
 8 range planning for ~~the buildout of an area, and detailed~~  
 9 ~~planning for specific areas, as a demonstration project, the~~  
 10 ~~requirements of s. 380.06 may be addressed as identified by this~~  
 11 ~~section for up to five~~ local governments or combinations of  
 12 local governments may which adopt into their ~~the~~ comprehensive  
 13 plans a plan an optional sector plan in accordance with this  
 14 section. This section is intended to promote and encourage long-  
 15 term planning for conservation, development, and agriculture on  
 16 a landscape scale; to further the intent of s. 163.3177(11),  
 17 which supports innovative and flexible planning and development  
 18 strategies, and the purposes of this part, and part I of chapter  
 19 380; to facilitate protection of regionally significant



Amendment No. 11

20 resources, including, but not limited to, regionally significant  
21 water courses and wildlife corridors; and to avoid duplication  
22 of effort in terms of the level of data and analysis required  
23 for a development of regional impact, while ensuring the  
24 adequate mitigation of impacts to applicable regional resources  
25 and facilities, including those within the jurisdiction of other  
26 local governments, as would otherwise be provided. ~~Optional~~  
27 Sector plans are intended for substantial geographic areas that  
28 include ~~including~~ at least 15,000 ~~5,000~~ acres of one or more  
29 local governmental jurisdictions and are to emphasize urban form  
30 and protection of regionally significant resources and public  
31 facilities. ~~A The state land planning agency may approve~~  
32 ~~optional sector plans of less than 5,000 acres based on local~~  
33 ~~circumstances if it is determined that the plan would further~~  
34 ~~the purposes of this part and part I of chapter 380. Preparation~~  
35 ~~of an optional sector plan is authorized by agreement between~~  
36 ~~the state land planning agency and the applicable local~~  
37 ~~governments under s. 163.3171(4). An optional sector plan may be~~  
38 ~~adopted through one or more comprehensive plan amendments under~~  
39 ~~s. 163.3184. However, an optional sector plan may not be~~ adopted  
40 authorized in an area of critical state concern.

41 (2) Upon the request of a local government having  
42 jurisdiction, ~~The state land planning agency may enter into an~~  
43 ~~agreement to authorize preparation of an optional sector plan~~  
44 ~~upon the request of one or more local governments based on~~  
45 ~~consideration of problems and opportunities presented by~~  
46 ~~existing development trends; the effectiveness of current~~  
47 ~~comprehensive plan provisions; the potential to further the~~

Amendment No. 11

48 ~~state comprehensive plan, applicable strategic regional policy~~  
49 ~~plans, this part, and part I of chapter 380; and those factors~~  
50 ~~identified by s. 163.3177(10)(i).~~ the applicable regional  
51 planning council shall conduct a scoping meeting with affected  
52 local governments and those agencies identified in s.  
53 163.3184(4) before preparation of the sector plan ~~execution of~~  
54 ~~the agreement authorized by this section.~~ The purpose of this  
55 meeting is to assist the state land planning agency and the  
56 local government in the identification of the relevant planning  
57 issues to be addressed and the data and resources available to  
58 assist in the preparation of the sector plan. In the event that  
59 a scoping meeting is conducted, ~~subsequent plan amendments.~~ the  
60 regional planning council shall make written recommendations to  
61 the state land planning agency and affected local governments,  
62 on the issues requested by the local government. The scoping  
63 meeting shall be noticed and open to the public. In the event  
64 that the entire planning area proposed for the sector plan is  
65 within the jurisdiction of two or more local governments, some  
66 or all of them may enter into a joint planning agreement  
67 pursuant to s. 163.3171 with respect to ~~including whether a~~  
68 ~~sustainable sector plan would be appropriate.~~ The agreement must  
69 define the geographic area to be subject to the sector plan, the  
70 planning issues that will be emphasized, procedures ~~requirements~~  
71 for intergovernmental coordination to address  
72 extrajurisdictional impacts, supporting application materials  
73 including data and analysis, ~~and~~ procedures for public  
74 participation, or other issues. ~~An agreement may address~~  
75 ~~previously adopted sector plans that are consistent with the~~

Amendment No. 11

76 ~~standards in this section. Before executing an agreement under~~  
77 ~~this subsection, the local government shall hold a duly noticed~~  
78 ~~public workshop to review and explain to the public the optional~~  
79 ~~sector planning process and the terms and conditions of the~~  
80 ~~proposed agreement. The local government shall hold a duly~~  
81 ~~noticed public hearing to execute the agreement. All meetings~~  
82 ~~between the department and the local government must be open to~~  
83 ~~the public.~~

84 (3) ~~Optional~~ Sector planning encompasses two levels:  
85 adoption pursuant to under s. 163.3184 of a conceptual long-term  
86 master plan for the entire planning area as part of the  
87 comprehensive plan, and adoption by local development order of  
88 two or more buildout overlay to the comprehensive plan, having  
89 no immediate effect on the issuance of development orders or the  
90 applicability of s. 380.06, and adoption under s. 163.3184 of  
91 detailed specific area plans that implement the conceptual long-  
92 term master plan buildout overlay and authorize issuance of  
93 development orders, and within which s. 380.06 is waived. Until  
94 such time as a detailed specific area plan is adopted, the  
95 underlying future land use designations apply.

96 (a) In addition to the other requirements of this chapter,  
97 a long-term master plan pursuant to this section conceptual  
98 long-term buildout overlay must include maps, illustrations, and  
99 text supported by data and analysis to address the following:

100 1. A long-range conceptual framework map that, at a  
101 minimum, generally depicts identifies anticipated areas of  
102 urban, agricultural, rural, and conservation land use,  
103 identifies allowed uses in various parts of the planning area,

Amendment No. 11

104 specifies maximum and minimum densities and intensities of use,  
105 and provides the general framework for the development pattern  
106 in developed areas with graphic illustrations based on a  
107 hierarchy of places and functional place-making components.

108 2. A general identification of the water supplies needed  
109 and available sources of water, including water resource  
110 development and water supply development projects, and water  
111 conservation measures needed to meet the projected demand of the  
112 future land uses in the long-term master plan.

113 3. A general identification of the transportation  
114 facilities to serve the future land uses in the long-term master  
115 plan, including guidelines to be used to establish each modal  
116 component intended to optimize mobility.

117 4. A general identification of other regionally  
118 significant public facilities ~~consistent with chapter 9J-2,~~  
119 ~~Florida Administrative Code, irrespective of local governmental~~  
120 ~~jurisdiction necessary to support buildout of the anticipated~~  
121 ~~future land uses, which may include central utilities provided~~  
122 ~~on site within the planning area, and policies setting forth the~~  
123 ~~procedures to be used to mitigate the impacts of future land~~  
124 ~~uses on public facilities.~~

125 ~~5.3.~~ A general identification of regionally significant  
126 natural resources within the planning area based on the best  
127 available data and policies setting forth the procedures for  
128 protection or conservation of specific resources consistent with  
129 the overall conservation and development strategy for the  
130 planning area ~~consistent with chapter 9J-2, Florida~~  
131 ~~Administrative Code.~~

Amendment No. 11

132        6.4. General principles and guidelines addressing that  
133 ~~address~~ the urban form and the interrelationships of anticipated  
134 future land uses; the protection and, as appropriate,  
135 restoration and management of lands identified for permanent  
136 preservation through recordation of conservation easements  
137 consistent with s. 704.06, which shall be phased or staged in  
138 coordination with detailed specific area plans to reflect phased  
139 or staged development within the planning area; and a  
140 ~~discussion, at the applicant's option, of the extent, if any, to~~  
141 ~~which the plan will address restoring key ecosystems,~~ achieving  
142 a more clean, healthy environment; ~~;~~ limiting urban sprawl;  
143 providing a range of housing types; ; protecting wildlife and  
144 natural areas; ~~;~~ advancing the efficient use of land and other  
145 resources; ~~;~~ and creating quality communities of a design that  
146 promotes travel by multiple transportation modes; and enhancing  
147 the prospects for the creation of jobs.

148        7.5. Identification of general procedures and policies to  
149 facilitate ~~ensure~~ intergovernmental coordination to address  
150 extrajurisdictional impacts from the future land uses ~~long-range~~  
151 ~~conceptual framework map.~~

152  
153 A long-term master plan adopted pursuant to this section shall  
154 be based upon a planning period longer than the generally  
155 applicable planning period of the local comprehensive plan,  
156 shall specify the projected population within the planning area  
157 during the chosen planning period, and may include a phasing or  
158 staging schedule that allocates a portion of the local  
159 government's future growth to the planning area through the

Amendment No. 11

160 planning period. It shall not be a requirement for a long-term  
161 master plan adopted pursuant to this section to demonstrate need  
162 based upon projected population growth or on any other basis.

163 (b) In addition to the other requirements of this chapter,  
164 ~~including those in paragraph (a),~~ the detailed specific area  
165 plans shall be consistent with the long-term master plan and  
166 must include conditions and commitments which provide for:

167 1. Development or conservation of an area of adequate size  
168 ~~to accommodate a level of development which achieves a~~  
169 ~~functional relationship between a full range of land uses within~~  
170 ~~the area and to encompass at least 1,000 acres consistent with~~  
171 the long-term master plan. The local government state land  
172 planning agency may approve detailed specific area plans of less  
173 than 1,000 acres based on local circumstances if it is  
174 determined that the detailed specific area plan furthers the  
175 purposes of this part and part I of chapter 380.

176 2. Detailed identification and analysis of the maximum and  
177 minimum densities and intensities of use, and the distribution,  
178 extent, and location of future land uses.

179 3. Detailed identification of water resource development  
180 and water supply development projects and related  
181 infrastructure, and water conservation measures to address water  
182 needs of development in the detailed specific area plan.

183 4. Detailed identification of the transportation  
184 facilities to serve the future land uses in the detailed  
185 specific area plan.

186 ~~5.3.~~ Detailed identification of other regionally  
187 significant public facilities, including public facilities

Amendment No. 11

188 outside the jurisdiction of the host local government,  
189 ~~anticipated~~ impacts of future land uses on those facilities, and  
190 required improvements consistent with the long-term master plan  
191 ~~chapter 9J-2, Florida Administrative Code.~~

192 6.4. Public facilities necessary to serve development in  
193 the detailed specific area plan for the short term, including  
194 developer contributions in a ~~financially feasible~~ 5-year capital  
195 improvement schedule of the affected local government.

196 7.5. Detailed analysis and identification of specific  
197 measures to assure the protection or conservation of lands  
198 identified in the long-term master plan to be permanently  
199 preserved within the planning area through recordation of a  
200 conservation easement consistent with s. 704.06 and, as  
201 appropriate, restored or managed, of regionally significant  
202 ~~natural resources~~ and other important resources both within and  
203 outside the host jurisdiction, ~~including those regionally~~  
204 ~~significant resources identified in chapter 9J-2, Florida~~  
205 ~~Administrative Code.~~

206 8.6. Detailed principles and guidelines addressing that  
207 address the urban form and the interrelationships of anticipated  
208 future land uses; and a discussion, at the applicant's option,  
209 of the extent, if any, to which the plan will address restoring  
210 key ecosystems, achieving a more clean, healthy environment; ;  
211 limiting urban sprawl; ; providing a range of housing types;  
212 protecting wildlife and natural areas; ; advancing the efficient  
213 use of land and other resources; ; and creating quality  
214 communities of a design that promotes travel by multiple

Amendment No. 11

215 transportation modes; and enhancing the prospects for the  
216 creation of jobs.

217 9.7. Identification of specific procedures to facilitate  
218 ensure intergovernmental coordination to address  
219 extrajurisdictional impacts from ~~of~~ the detailed specific area  
220 plan.

221

222 A detailed specific area plan adopted by local development order  
223 pursuant to this section may be based upon a planning period  
224 longer than the generally applicable planning period of the  
225 local comprehensive plan and shall specify the projected  
226 population within the specific planning area during the chosen  
227 planning period. It shall not be a requirement for a detailed  
228 specific area plan adopted pursuant to this section to  
229 demonstrate need based upon projected population growth or on  
230 any other basis.

231 (c) In its review of a long-term master plan, the state  
232 land planning agency shall consult with the Department of  
233 Agriculture and Consumer Services, the Department of  
234 Environmental Protection, the Fish and Wildlife Conservation  
235 Commission, and the applicable water management district  
236 regarding the design of areas for protection and conservation of  
237 regionally significant natural resources and for the protection  
238 and, as appropriate, restoration and management of lands  
239 identified for permanent preservation.

240 (d) In its review of a long-term master plan, the state  
241 land planning agency shall consult with the Department of  
242 Transportation, the applicable metropolitan planning



Amendment No. 11

243 organization, and any urban transit agency regarding the  
244 location, capacity, design, and phasing or staging of major  
245 transportation facilities in the planning area.

246 (e) The state land planning agency may initiate a civil  
247 action pursuant to s. 163.3215 with respect to a detailed  
248 specific area plan that is not consistent with a long-term  
249 master plan adopted pursuant to this section. For purposes of  
250 such a proceeding, the state land planning agency shall be  
251 deemed an aggrieved and adversely affected party. Regardless of  
252 whether the local government has adopted an ordinance that  
253 establishes a local process that meets the requirements of s.  
254 163.3215(4), judicial review of a detailed specific area plan  
255 initiated by the state land planning agency shall be de novo  
256 pursuant to s. 163.3215(3) and not by petition for writ of  
257 certiorari pursuant to s. 163.3215(4). Any other aggrieved or  
258 adversely affected party shall be subject to s. 163.3215 in all  
259 respects when initiating a consistency challenge to a detailed  
260 specific area plan.

261 (f) ~~(e)~~ This subsection does may not be construed to  
262 prevent preparation and approval of the optional sector plan and  
263 detailed specific area plan concurrently or in the same  
264 submission.

265 (4) Upon the long-term master plan becoming legally  
266 effective:

267 (a) Any long-range transportation plan developed by a  
268 metropolitan planning organization pursuant to s. 339.175(7)  
269 must be consistent, to the maximum extent feasible, with the  
270 long-term master plan, including, but not limited to, the

Amendment No. 11

271 projected population, the approved uses and densities and  
272 intensities of use and their distribution within the planning  
273 area. The transportation facilities identified in adopted plans  
274 pursuant to subparagraphs (3)(a)3. and (3)(b)4. must be  
275 developed in coordination with the adopted M.P.O. long-range  
276 transportation plan.

277 (b) The water needs, sources and water resource  
278 development, and water supply development projects identified in  
279 adopted plans pursuant to sub-subparagraphs (3)(a)2. and  
280 (3)(b)3. shall be incorporated into the applicable district and  
281 regional water supply plans adopted in accordance with ss.  
282 373.036 and 373.709. Accordingly, and notwithstanding the permit  
283 durations stated in s. 373.236, an applicant may request and the  
284 applicable district may issue consumptive use permits for  
285 durations commensurate with the long-term master plan. The  
286 permitting criteria in s. 373.223 shall be applied based upon  
287 the projected population, the approved densities and intensities  
288 of use and their distribution in the long-term master plan,  
289 however, nothing in this paragraph is intended to modify the  
290 permitting criteria in 373.223. ~~The host local government shall~~  
291 ~~submit a monitoring report to the state land planning agency and~~  
292 ~~applicable regional planning council on an annual basis after~~  
293 ~~adoption of a detailed specific area plan. The annual monitoring~~  
294 ~~report must provide summarized information on development orders~~  
295 ~~issued, development that has occurred, public facility~~  
296 ~~improvements made, and public facility improvements anticipated~~  
297 ~~over the upcoming 5 years.~~

Amendment No. 11

298 (5) When a ~~plan amendment~~ adopting a detailed specific  
299 area plan has become effective for a portion of the planning  
300 area governed by a long-term master plan adopted pursuant to  
301 this section under ss. ~~163.3184~~ and 163.3189(2), the provisions  
302 of s. 380.06 do not apply to development within the geographic  
303 area of the detailed specific area plan. However, any  
304 development-of-regional-impact development order that is vested  
305 from the detailed specific area plan may be enforced pursuant to  
306 ~~under~~ s. 380.11.

307 (a) The local government adopting the detailed specific  
308 area plan is primarily responsible for monitoring and enforcing  
309 the detailed specific area plan. Local governments shall not  
310 issue any permits or approvals or provide any extensions of  
311 services to development that are not consistent with the  
312 detailed specific sector area plan.

313 (b) If the state land planning agency has reason to  
314 believe that a violation of any detailed specific area plan, ~~or~~  
315 ~~of any agreement entered into under this section~~, has occurred  
316 or is about to occur, it may institute an administrative or  
317 judicial proceeding to prevent, abate, or control the conditions  
318 or activity creating the violation, using the procedures in s.  
319 380.11.

320 (c) In instituting an administrative or judicial  
321 proceeding involving an ~~optional~~ sector plan or detailed  
322 specific area plan, including a proceeding pursuant to paragraph  
323 (b), the complaining party shall comply with the requirements of  
324 s. 163.3215(4), (5), (6), and (7), except as provided by  
325 paragraph (3)(d).

Amendment No. 11

326       (d) The detailed specific area plan shall establish a  
327 buildout date until which the approved development shall not be  
328 subject to downzoning, unit density reduction, or intensity  
329 reduction, unless the local government can demonstrate that  
330 implementation of the plan is not continuing in good faith based  
331 on standards established by plan policy, or that substantial  
332 changes in the conditions underlying the approval of the  
333 detailed specific area plan have occurred, or that the detailed  
334 specific area plan was based on substantially inaccurate  
335 information provided by the applicant, or that the change is  
336 clearly established to be essential to the public health,  
337 safety, or welfare.

338       (6) Concurrent with or subsequent to review and adoption  
339 of a long-term master plan pursuant to paragraph (3)(a), an  
340 applicant may apply for master development approval pursuant to  
341 s. 380.06(21) for the entire planning area in order to establish  
342 a buildout date until which the approved uses and densities and  
343 intensities of use of the master plan shall not be subject to  
344 downzoning, unit density reduction, or intensity reduction,  
345 unless the local government can demonstrate that implementation  
346 of the master plan is not continuing in good faith based on  
347 standards established by plan policy, or that substantial  
348 changes in the conditions underlying the approval of the master  
349 plan have occurred, or that the master plan was based on  
350 substantially inaccurate information provided by the applicant,  
351 or that change is clearly established to be essential to the  
352 public health, safety, or welfare. Review of the application for  
353 master development approval shall be at a level of detail

Amendment No. 11

354 appropriate for the long-term and conceptual nature of the long-  
355 term master plan and, to the maximum extent possible, shall only  
356 consider information provided in the application for a long-term  
357 master plan. Notwithstanding any provision of s. 380.06 to the  
358 contrary, an increment of development in such an approved master  
359 development plan shall be approved by a detailed specific area  
360 plan pursuant to paragraph (3)(b) and shall be exempt from  
361 review pursuant to s. 380.06. ~~Beginning December 1, 1999, and~~  
362 ~~each year thereafter, the department shall provide a status~~  
363 ~~report to the Legislative Committee on Intergovernmental~~  
364 ~~Relations regarding each optional sector plan authorized under~~  
365 ~~this section.~~

366 (7) A developer within an area subject to a long-term  
367 master plan which meets the requirements of paragraph (3)(a) and  
368 subsection (6) or a detailed specific area plan which meets the  
369 requirements of paragraph (3)(b) may enter into a development  
370 agreement with a local government pursuant to ss. 163.3220-  
371 163.3243. The duration of such a development agreement may be  
372 through the planning period of the long-term master plan or the  
373 detailed specific area plan, as the case may be, notwithstanding  
374 the limit on the duration of a development agreement pursuant to  
375 s. 163.3229.

376 (8) Any owner of property within the planning area of a  
377 proposed long-term master plan may withdraw his consent to the  
378 master plan at any time prior to local government adoption, and  
379 the local government shall exclude such parcels from the adopted  
380 master plan. Thereafter, the long-term master plan, any detailed  
381 specific area plan, and the exemption from development-of-

Amendment No. 11

382 regional-impact review under this section shall not apply to the  
383 subject parcels. After adoption of a long-term master plan, an  
384 owner may withdraw his or her property from the master plan only  
385 with the approval of the local government by plan amendment  
386 adopted and reviewed pursuant to s. 163.3184.

387 (9) The adoption of a long-term master plan or a detailed  
388 specific area plan pursuant to this section shall not limit the  
389 right to continue existing agricultural or silvicultural uses or  
390 other natural resource-based operations or to establish similar  
391 new uses that are consistent with the plans approved pursuant to  
392 this section.

393 (10) The state land planning agency may enter into an  
394 agreement with a local government which, on or before July 1,  
395 2011, adopted a large-area comprehensive plan amendment  
396 consisting of at least 15,000 acres that meets the requirements  
397 for a long-term master plan in subparagraph (3)(a), after notice  
398 and public hearing by the local government, and thereafter,  
399 notwithstanding any provision of s. 380.06 or this part or any  
400 planning agreement or plan policy, that large-area plan shall be  
401 implemented through detailed specific area plans that meet the  
402 requirements of subparagraph (3)(b) and shall otherwise be  
403 subject to the provisions of this section.

404 (11) Notwithstanding the provisions of this section, a  
405 detailed specific area plan to implement a conceptual long-term  
406 buildout overlay adopted by a local government and found in  
407 compliance prior to July 1, 2011, shall be governed by the  
408 provisions of this section.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 11

409 |        (12)~~(7)~~ This section may not be construed to abrogate the  
410 | rights of any person under this chapter.

411 |

Amendment No. 11A

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                         (Y/N)  
ADOPTED AS AMENDED                         (Y/N)  
ADOPTED W/O OBJECTION                  ✓   (Y/N)  
FAILED TO ADOPT                             (Y/N)  
WITHDRAWN                                    (Y/N)  
OTHER                                         

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Workman offered the following:

3  
4           **Amendment to Amendment (11) by Representative Workman**

5           Remove lines 285-290 and insert:

6            durations commensurate with the long-term master plan or  
7            detailed specific area plan, considering the ability of the  
8            master plan area to contribute to regional water supply  
9            availability and the need to maximize reasonable-beneficial use  
10           of the water resource. The permitting criteria in s. 373.223  
11           shall be applied based upon the projected population, the  
12           approved densities and intensities of use and their distribution  
13           in the long-term master plan, however, the allocation of the  
14           water may be phased over the permit duration to correspond to  
15           actual projected needs. Nothing in this paragraph is interpreted  
16           to supersede the public interest test set forth in s. 373.223.

17          ~~The host local government shall~~



11b

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 2 to Amendment No. 11

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>  ✓  </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative(s) Workman offered the following:

**Amendment 2 to Amendment (11) by Representative Workman**

Between lines 408 and 409, insert:

6 (11) Notwithstanding any provision to the contrary of s. 380.06,  
 7 part II of chapter 163, or any planning agreement or plan  
 8 policy, a landowner or developer who has received approval of a  
 9 master development of regional impact development order pursuant  
 10 to s. 380.06(21) may apply to implement this order by filing one  
 11 or more applications to approve a detailed specific area plan  
 12 pursuant to paragraph (3) (b).

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 12

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Workman offered the following:

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

5 Remove lines 6830-6997 and insert:

6 (4) A local government or one or more property owners may  
7 request assistance and participation in the development of a  
8 plan for the rural land stewardship area from the state land  
9 planning agency, the Department of Agriculture and Consumer  
10 Services, the Fish and Wildlife Conservation Commission, the  
11 Department of Environmental Protection, the appropriate water  
12 management district, the Department of Transportation, the  
13 regional planning council, private land owners, and  
14 stakeholders.

15 (5) A rural land stewardship area shall be not less than  
16 10,000 acres and shall be located outside of municipalities and  
17 established urban service areas, and shall be designated by plan  
18 amendment by each local government with jurisdiction over the  
19 rural land stewardship area. The plan amendment or amendments

Amendment No. 12

20 designating a rural land stewardship area shall be subject to  
21 review pursuant to s. 163.3184 and shall provide for the  
22 following:

23 (a) Criteria for the designation of receiving areas which  
24 shall at a minimum provide for the following: adequacy of  
25 suitable land to accommodate development so as to avoid conflict  
26 with significant environmentally sensitive areas, resources, and  
27 habitats; compatibility between and transition from higher  
28 density uses to lower intensity rural uses; and the  
29 establishment of receiving area service boundaries which provide  
30 for a transition from receiving areas and other land uses within  
31 the rural land stewardship area through limitations on the  
32 extension of services.

33 (b) Innovative planning and development strategies to be  
34 applied within rural land stewardship areas pursuant to the  
35 provisions of this section.

36 (c) A process for the implementation of innovative  
37 planning and development strategies within the rural land  
38 stewardship area, including those described in this subsection,  
39 which provide for a functional mix of land uses through the  
40 adoption by the local government of zoning and land development  
41 regulations applicable to the rural land stewardship area.

42 (d) A mix of densities and intensities that would not be  
43 characterized as urban sprawl through the use of innovative  
44 strategies and creative land use techniques.

45 (6) A receiving area may only be designated pursuant to  
46 procedures established in the local government's land  
47 development regulations. Should receiving area designation

Amendment No. 12

48 require the approval of the county board of county  
49 commissioners, such approval shall be by resolution with a  
50 simple majority vote. Prior to the commencement of development  
51 within a stewardship receiving area, a listed species survey  
52 will be performed for the area proposed for development. If  
53 listed species occur on the receiving area development site, the  
54 applicant shall coordinate with each appropriate local, state,  
55 or federal agency to determine if adequate provisions have been  
56 made to protect those species in accordance with applicable  
57 regulations. In determining the adequacy of provisions for the  
58 protection of listed species and their habitats, the rural land  
59 stewardship area shall be considered as a whole, and the  
60 potential impacts and protective measures taken within areas to  
61 be developed as receiving areas shall be considered in  
62 conjunction with and compensated by lands set aside and  
63 protective measures taken within the designated sending areas.

64 (7) Upon the adoption of a plan amendment creating a rural  
65 land stewardship area, the local government shall, by ordinance,  
66 establish a rural land stewardship overlay zoning district,  
67 which shall provide the methodology for the creation,  
68 conveyance, and use of transferable rural land use credits,  
69 hereinafter referred to as stewardship credits, the assignment  
70 and application of which shall not constitute a right to develop  
71 land, nor increase density of land, except as provided by this  
72 section. The total amount of stewardship credits within the  
73 rural land stewardship area must enable the realization of the  
74 long-term vision and goals for the rural land stewardship area,  
75 which may take into consideration the anticipated effect of the

Amendment No. 12

76 proposed receiving areas. The estimated amount of receiving area  
77 shall be projected based on available data and the development  
78 potential represented by the stewardship credits created within  
79 the rural land stewardship area must correlate to that amount.

80 (8) Stewardship credits are subject to the following  
81 limitations:

82 (a) Stewardship credits may only exist within a rural land  
83 stewardship area.

84 (b) Stewardship credits may only be created from lands  
85 designated as stewardship sending areas and may only be used on  
86 lands designated as stewardship receiving areas and then solely  
87 for the purpose of implementing innovative planning and  
88 development strategies and creative land use planning techniques  
89 adopted by the local government pursuant to this section.

90 (c) Stewardship credits assigned to a parcel of land  
91 within a rural land stewardship area shall cease to exist if the  
92 parcel of land is removed from the rural land stewardship area  
93 by plan amendment.

94 (d) Neither the creation of the rural land stewardship  
95 area by plan amendment nor the adoption of the rural land  
96 stewardship zoning overlay district by the local government  
97 shall displace the underlying permitted uses, density or  
98 intensity of land uses assigned to a parcel of land within the  
99 rural land stewardship area that existed before adoption of the  
100 plan amendment or zoning overlay district; however, once  
101 stewardship credits have been transferred from a designated  
102 sending area for use within a designated receiving area, the

Amendment No. 12

103 underlying density assigned to the designated sending area shall  
104 cease to exist.

105 (e) The underlying permitted uses, density, or intensity  
106 on each parcel of land located within a rural land stewardship  
107 area shall not be increased or decreased by the local  
108 government, except as a result of the conveyance or stewardship  
109 credits, as long as the parcel remains within the rural land  
110 stewardship area.

111 (f) Stewardship credits shall cease to exist on a parcel  
112 of land where the underlying density assigned to the parcel of  
113 land is used.

114 (g) An increase in the density or intensity of use on a  
115 parcel of land located within a designated receiving area may  
116 occur only through the assignment or use of stewardship credits  
117 and shall not require a plan amendment. A change in the type of  
118 agricultural use on property within a rural land stewardship  
119 area shall not be considered a change in use or intensity of use  
120 and shall not require any transfer of stewardship credits.

121 (h) A change in the density or intensity of land use on  
122 parcels located within receiving areas shall be specified in a  
123 development order which reflects the total number of stewardship  
124 credits assigned to the parcel of land and the infrastructure  
125 and support services necessary to provide for a functional mix  
126 of land uses corresponding to the plan of development.

127 (i) Land within a rural land stewardship area may be  
128 removed from the rural land stewardship area through a plan  
129 amendment.

Amendment No. 12

130       (j) Stewardship credits may be assigned at different  
131 ratios of credits per acre according to the natural resource or  
132 other beneficial use characteristics of the land and according  
133 to the land use remaining following the transfer of credits,  
134 with the highest number of credits per acre assigned to the most  
135 environmentally valuable land or, in locations where the  
136 retention of open space and agricultural land is a priority, to  
137 such lands.

138       (k) The use or conveyance of stewardship credits must be  
139 recorded in the public records of the county in which the  
140 property is located as a covenant or restrictive easement  
141 running with the land in favor of the county and either the  
142 Department of Environmental Protection, Department of  
143 Agriculture and Consumer Services, a water management district,  
144 or a recognized statewide land trust.

145       (9) Owners of land within rural land stewardship sending  
146 areas should be provided other incentives, in addition to the  
147 use or conveyance of stewardship credits, to enter into rural  
148 land stewardship agreements, pursuant to existing law and rules  
149 adopted thereto, with state agencies, water management  
150 districts, the Fish and Wildlife Conservation Commission, and  
151 local governments to achieve mutually agreed upon objectives.  
152 Such incentives may include, but not be limited to, the  
153 following:

154       (a) Opportunity to accumulate transferable wetland and  
155 species habitat mitigation credits for use or sale.

156       (b) Extended permit agreements.

157       (c) Opportunities for recreational leases and ecotourism.

Amendment No. 12

158       (d) Compensation for the achievement of specified land  
159 management activities of public benefit, including, but not  
160 limited to, facility siting and corridors, recreational leases,  
161 water conservation and storage, water reuse, wastewater  
162 recycling, water supply and water resource development, nutrient  
163 reduction, environmental restoration and mitigation, public  
164 recreation, listed species protection and recovery, and wildlife  
165 corridor management and enhancement.

166       (e) Option agreements for sale to public entities or  
167 private land conservation entities, in either fee or easement,  
168 upon achievement of specified conservation objectives.

169       (10) The provisions of this section constitute an overlay  
170 of land use options that provide economic and regulatory  
171 incentives for landowners outside of established and planned  
172 urban service areas to conserve and manage vast areas of land  
173 for the benefit of the state's citizens and natural environment  
174 while maintaining and enhancing the asset value of their  
175 landholdings. It is the intent of the Legislature that the  
176 provisions of this section be implemented pursuant to law and  
177 rulemaking is not authorized.

178       (11) It is the intent of the legislature that the rural  
179 land stewardship area located in Collier County, which was  
180 established pursuant to the requirements of a final order by the  
181 Governor and Cabinet, duly adopted as a growth management plan  
182 amendment by Collier County, and found in compliance with  
183 chapter 163, be recognized as a statutory rural land stewardship  
184 area, and be afforded the incentives as set forth in this  
185 section.



Amendment No. 12

186

**T I T L E   A M E N D M E N T**

187

Remove line 126 and insert:

188

credits; providing for incentives; providing certain areas to be

189

eligible for incentives; providing legislative

190

Amendment No. 13

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input checked="" type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

*w/d*

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Workman offered the following:

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

5 Remove lines 7406-7557 and insert:

6 Section 51. Paragraph (b) of subsection (6), paragraph (c)  
 7 of subsection (19), paragraphs (l), (m), (s), and (t) of  
 8 subsection (24), paragraph (e) of subsection (28), and  
 9 paragraphs (a), (d), and (e) of subsection (29) of section  
 10 380.06, Florida Statutes, are amended and paragraph (u) and (v)  
 11 of subsection (24), and subsection (30) of section 380.06,  
 12 Florida Statutes, are created to read:

13 380.06 Developments of regional impact.—

14 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT; CONCURRENT  
 15 PLAN AMENDMENTS.—

16 (b) Any local government comprehensive plan amendments  
 17 related to a proposed development of regional impact, including  
 18 any changes proposed under subsection (19), may be initiated by  
 19 a local planning agency or the developer and must be considered

Amendment No. 13

20 by the local governing body at the same time as the application  
21 for development approval using the procedures provided for local  
22 plan amendment in s. 163.3187 or s. 163.3189 and applicable  
23 local ordinances, without regard to ~~statutory or~~ local ordinance  
24 limits on the frequency of consideration of amendments to the  
25 local comprehensive plan. Nothing in this paragraph shall be  
26 deemed to require favorable consideration of a plan amendment  
27 solely because it is related to a development of regional  
28 impact. The procedure for processing such comprehensive plan  
29 amendments is as follows:

30 1. If a developer seeks a comprehensive plan amendment  
31 related to a development of regional impact, the developer must  
32 so notify in writing the regional planning agency, the  
33 applicable local government, and the state land planning agency  
34 no later than the date of preapplication conference or the  
35 submission of the proposed change under subsection (19).

36 2. When filing the application for development approval or  
37 the proposed change, the developer must include a written  
38 request for comprehensive plan amendments that would be  
39 necessitated by the development-of-regional-impact approvals  
40 sought. That request must include data and analysis upon which  
41 the applicable local government can determine whether to  
42 transmit the comprehensive plan amendment pursuant to s.  
43 163.3184.

44 3. The local government must advertise a public hearing on  
45 the transmittal within 30 days after filing the application for  
46 development approval or the proposed change and must make a

Amendment No. 13

47 determination on the transmittal within 60 days after the  
48 initial filing unless that time is extended by the developer.

49 4. If the local government approves the transmittal,  
50 procedures set forth in s. 163.3184(4)(b)-(d)(3)-(6) must be  
51 followed.

52 5. Notwithstanding subsection (11) or subsection (19), the  
53 local government may not hold a public hearing on the  
54 application for development approval or the proposed change or  
55 on the comprehensive plan amendments sooner than 30 days from  
56 receipt of the response from the state land planning agency  
57 pursuant to s. 163.3184(4)(d)(6). ~~The 60-day time period for~~  
58 ~~local governments to adopt, adopt with changes, or not adopt~~  
59 ~~plan amendments pursuant to s. 163.3184(7) shall not apply to~~  
60 ~~concurrent plan amendments provided for in this subsection.~~

61 6. The local government must hear both the application for  
62 development approval or the proposed change and the  
63 comprehensive plan amendments at the same hearing. However, the  
64 local government must take action separately on the application  
65 for development approval or the proposed change and on the  
66 comprehensive plan amendments.

67 7. Thereafter, the appeal process for the local government  
68 development order must follow the provisions of s. 380.07, and  
69 the compliance process for the comprehensive plan amendments  
70 must follow the provisions of s. 163.3184.

71 (19) SUBSTANTIAL DEVIATIONS.—

72 (c) An extension of the date of buildout of a development,  
73 or any phase thereof, by more than 7 years is presumed to create

Amendment No. 13

74 a substantial deviation subject to further development-of-  
75 regional-impact review.

76 1. An extension of the date of buildout, or any phase  
77 thereof, of more than 5 years but not more than 7 years is  
78 presumed not to create a substantial deviation. The extension of  
79 the date of buildout of an areawide development of regional  
80 impact by more than 5 years but less than 10 years is presumed  
81 not to create a substantial deviation. These presumptions may be  
82 rebutted by clear and convincing evidence at the public hearing  
83 held by the local government. An extension of 5 years or less is  
84 not a substantial deviation.

85 2. In recognition of the slowed economy and its effects on  
86 real estate market conditions, at the option of the developer,  
87 all commencement, phase, buildout, and expiration dates for  
88 projects that are currently valid developments of regional  
89 impact are extended for 7 years regardless of any prior  
90 extension. Associated mitigation requirements are extended for  
91 the same period. The 7-year extension is not a substantial  
92 deviation, is not subject to further development-of-regional-  
93 impact review, and may not be considered when determining  
94 whether a subsequent extension is a substantial deviation under  
95 this subsection. The developer must notify the local government  
96 in writing by December 31, 2011, in order to receive the 7-year  
97 extension.

98  
99 For the purpose of calculating when a buildout or phase date has  
100 been exceeded, the time shall be tolled during the pendency of  
101 administrative or judicial proceedings relating to development

Amendment No. 13

102 | permits. Any extension of the buildout date of a project or a  
103 | phase thereof shall automatically extend the commencement date  
104 | of the project, the termination date of the development order,  
105 | the expiration date of the development of regional impact, and  
106 | the phases thereof if applicable by a like period of time. ~~In~~  
107 | ~~recognition of the 2007 real estate market conditions, all~~  
108 | ~~phase, buildout, and expiration dates for projects that are~~  
109 | ~~developments of regional impact and under active construction on~~  
110 | ~~July 1, 2007, are extended for 3 years regardless of any prior~~  
111 | ~~extension. The 3-year extension is not a substantial deviation,~~  
112 | ~~is not subject to further development of regional impact review,~~  
113 | ~~and may not be considered when determining whether a subsequent~~  
114 | ~~extension is a substantial deviation under this subsection.~~

115 | (24) STATUTORY EXEMPTIONS.—

116 | (1) Any proposed development within an urban service  
117 | boundary established under s. 163.3177(14), which is not  
118 | otherwise exempt pursuant to subsection (29), is exempt from the  
119 | provisions of this section if the local government having  
120 | jurisdiction over the area where the development is proposed has  
121 | adopted the urban service boundary, has entered into a binding  
122 | agreement with jurisdictions that would be impacted and with the  
123 | Department of Transportation regarding the mitigation of impacts  
124 | on state and regional transportation facilities, ~~and has adopted~~  
125 | ~~a proportionate share methodology pursuant to s. 163.3180(16).~~

126 | (m) Any proposed development within a rural land  
127 | stewardship area created under s. 163.3248 ~~163.3177(11)(d)~~ ~~is~~  
128 | ~~exempt from the provisions of this section if the local~~  
129 | ~~government that has adopted the rural land stewardship area has~~

Amendment No. 13

130 ~~entered into a binding agreement with jurisdictions that would~~  
131 ~~be impacted and the Department of Transportation regarding the~~  
132 ~~mitigation of impacts on state and regional transportation~~  
133 ~~facilities, and has adopted a proportionate share methodology~~  
134 ~~pursuant to s. 163.3180(16).~~

135 (s) Any development in a detailed specific area plan which  
136 is prepared and adopted pursuant to s. 163.3245 ~~and adopted into~~  
137 ~~the comprehensive plan~~ is exempt from this section.

138 (t) Any proposed solid mineral mine and any proposed  
139 addition to, expansion of, or change to an existing solid  
140 mineral mine is exempt from the provisions of this section.  
141 Proposed changes to any previously approved solid mineral mine  
142 development of regional impact development orders having vested  
143 rights is not subject to further review or approval as a  
144 development of regional impact or notice of proposed change  
145 review or approval pursuant to subsection (19), except for those  
146 applications pending as of July 1, 2011, which shall be governed  
147 by s. 380.115(2). Notwithstanding the foregoing, however,  
148 pursuant to s. 380.115(1), previously approved solid mineral  
149 mine development of regional impact development orders shall  
150 continue to enjoy vested rights and continue to be effective  
151 unless rescinded by the developer.

152 (u) Notwithstanding any provisions in an agreement with or  
153 among a local government, regional agency or the state land  
154 planning agency or in a local government's comprehensive plan to  
155 the contrary, a project no longer subject to development of  
156 regional impact review under revised thresholds shall not be  
157 required to undergo such review.

Amendment No. 13

158       (v) Any development within a county with a research and  
159 education authority created by special act and that is also  
160 within a research and development park that is operated or  
161 managed by a research and development authority pursuant to part  
162 V of chapter 159 is exempt from this section.

163

164 If a use is exempt from review as a development of regional  
165 impact under paragraphs (a)- ~~(u)-(s)~~, but will be part of a  
166 larger project that is subject to review as a development of  
167 regional impact, the impact of the exempt use must be included  
168 in the review of the larger project, unless such exempt use  
169 involves a development of regional impact that includes a  
170 landowner, tenant, or user that has entered into a funding  
171 agreement with the Office of Tourism, Trade, and Economic  
172 Development under the Innovation Incentive Program and the  
173 agreement contemplates a state award of at least \$50 million.

174       (28) PARTIAL STATUTORY EXEMPTIONS.-

175       (e) The vesting provision of s. 163.3167(5)~~(8)~~ relating to  
176 an authorized development of regional impact shall not apply to  
177 those projects partially exempt from the development-of-  
178 regional-impact review process under paragraphs (a)-(d).

179       (29) EXEMPTIONS FOR DENSE URBAN LAND AREAS.-

180       (a) The following are exempt from this section:

181       1. Any proposed development in a municipality that has an  
182 average of at least 1,000 people per square mile of land area  
183 and a minimum total population of at least 5,000 ~~qualifies as a~~  
184 ~~dense urban land area as defined in s. 163.3164;~~



Amendment No. 13

185 2. Any proposed development within a county that has an  
186 average of at least 1,000 people per square mile of land area  
187 ~~qualifies as a dense urban land area as defined in s. 163.3164~~  
188 and that is located within an urban service area as defined in  
189 s. 163.3164 which has been adopted into the comprehensive plan;  
190 or

191 3. Any proposed development within a county, including the  
192 municipalities located therein, which has a population of at  
193 least 900,000, that has an average of at least 1,000 people per  
194 square mile of land area which qualifies as a dense urban land  
195 ~~area under s. 163.3164~~, but which does not have an urban service  
196 area designated in the comprehensive plan.

197

198 The Office of Economic and Demographic Research within the  
199 Legislature shall annually calculate the population and density  
200 criteria needed to determine which jurisdictions meet the  
201 density criteria in subparagraphs 1.-3. by using the most recent  
202 land area data from the decennial census conducted by the Bureau  
203 of the Census of the United States Department of Commerce and  
204 the latest available population estimates determined pursuant to  
205 s. 186.901. If any local government has had an annexation,  
206 contraction, or new incorporation, the Office of Economic and  
207 Demographic Research shall determine the population density  
208 using the new jurisdictional boundaries as recorded in  
209 accordance with s. 171.091. The Office of Economic and  
210 Demographic Research shall annually submit to the state land  
211 planning agency by July 1 a list of jurisdictions that meet the  
212 total population and density criteria. The state land planning

Amendment No. 13

213 agency shall publish the list of jurisdictions on its Internet  
214 website within 7 days after the list is received. The  
215 designation of jurisdictions that meet the density criteria of  
216 subparagraphs 1.-3. is effective upon publication on the state  
217 land planning agency's Internet website. Any area that has met  
218 the density criteria may not thereafter be removed from the list  
219 of areas that qualify.

220 (d) A development that is located partially outside an  
221 area that is exempt from the development-of-regional-impact  
222 program must undergo development-of-regional-impact review  
223 pursuant to this section; however if the total acreage that is  
224 included within the area exempt from development of regional  
225 impact review exceeds 85 percent of the total acreage and square  
226 footage of the approved development of regional impact, the  
227 development of regional impact development order may be  
228 rescinded in both local governments pursuant to s. 380.115(1).

229 (e) In an area that is exempt under paragraphs (a)-(c),  
230 any previously approved development-of-regional-impact  
231 development orders shall continue to be effective, but the  
232 developer has the option to be governed by s. 380.115(1). A  
233 pending application for development approval shall be governed  
234 by s. 380.115(2). ~~A development that has a pending application~~  
235 ~~for a comprehensive plan amendment and that elects not to~~  
236 ~~continue development-of-regional-impact review is exempt from~~  
237 ~~the limitation on plan amendments set forth in s. 163.3187(1)~~  
238 ~~for the year following the effective date of the exemption.~~

239 (30) TEMPORARY INCREASES IN THRESHOLDS, STANDARDS AND  
240 SUBSTANTIAL DEVIATIONS. -

Amendment No. 13

241 (a) Notwithstanding the provisions of paragraph (2) (d) a  
242 development that is below 150 percent of all numerical  
243 thresholds in the guidelines and standards shall not be required  
244 to undergo development-of-regional impact review. Projects  
245 between 100 percent and 150 percent of all numerical thresholds  
246 shall notify the state land planning agency and the applicable  
247 regional planning council of the proposed development plan and  
248 shall annually report, for a period of five years progress in  
249 developing the development plan.

250 (b) Notwithstanding the provisions of sub-subparagraph  
251 (2) (d) 1.b., a development that is at or above 200 percent of any  
252 numerical threshold shall be required to undergo development-of-  
253 regional impact review.

254 (c) Notwithstanding the provisions of subparagraph (2) (d) 2.  
255 It shall be presumed that a development that is at or above 150  
256 to 200 percent of a numerical threshold shall be required to  
257 undergo development of regional impact review. This presumption  
258 may be rebutted by clear and convincing evidence.

259 (d) Notwithstanding the provisions of paragraph (19) (b),  
260 the criteria of paragraph (19) (b) shall be increased by 100  
261 percent before a change constitutes a substantial deviation.  
262 Projects with changes that would have triggered a substantial  
263 deviation under paragraph (19) (b) if this paragraph did not apply  
264 shall notify the state land planning agency and the applicable  
265 regional planning council of the modified development plan and  
266 shall annually report, for a period of five years progress in  
267 developing the modified development plan.

Amendment No. 13

268       (e) The Office of Program Policy Analysis and Government  
269 Accountability shall submit to the Governor, the President of  
270 the Senate, and the Speaker of the House of Representatives by  
271 December 1, 2017, a report and recommendations for modifying  
272 current numerical thresholds and guidelines on what projects  
273 constitute a development of regional impact and the criteria for  
274 what constitutes a substantial deviation. The Office of Program  
275 Policy Analysis and Government Accountability shall review the  
276 annual reports of the developments that have notified the state  
277 land planning agency that they meet the criteria of this  
278 paragraph. The Office of Program Policy Analysis and Government  
279 Accountability shall consult the state land planning agency, the  
280 regional planning councils, other reviewing and permitting  
281 agencies as appropriate, a sampling of developers with approved  
282 developments of regional impact and their representatives, and a  
283 sampling of developments reporting on progress in developing and  
284 associated local governments and adjacent local governments  
285 concerning the experience and recommendations concerning the  
286 development of regional impact program. In reviewing the  
287 experience relating to the regional impacts of the increased  
288 thresholds and criteria, the report should consider changes to  
289 thresholds and criteria, removal of categories of development  
290 types from the development of regional impact provisions, and  
291 the repeal of the program in its entirety.

292

293

294

295

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

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 13

296        Remove line 111 and insert:  
297        intent; amending s. 380.06, F.S.; providing for extension of  
298        expiration dates; revising and creating exemptions; providing  
299        for temporary increase in thresholds, substantial deviations;  
300        providing a presumption; directing the Office of Program Policy  
301        Analysis and Government Accountability to submit a report and  
302        recommendations;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 14s

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Workman offered the following:

3  
4 **Substitute Amendment for Amendment (14) by Representative**  
5 **Workman (with title amendment)**

6 Between lines 7586 and 7587, insert:

7 Section 53. Section 380.0685, Florida Statutes, is amended  
8 to read:

9 380.0685 State park in area of critical state concern in  
10 county which creates land authority; surcharge on admission and  
11 overnight occupancy.—The Department of Environmental Protection  
12 shall impose and collect a surcharge of 50 cents per person per  
13 day, or \$5 per annual family auto entrance permit, on admission  
14 to all state parks in areas of critical state concern located in  
15 a county which creates a land authority pursuant to s.

16 380.0663(1), and a surcharge of \$2.50 per night per campsite,  
17 cabin, or other overnight recreational occupancy unit in state  
18 parks in areas of critical state concern located in a county  
19 which creates a land authority pursuant to s. 380.0663(1);

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No.

20 however, no surcharge shall be imposed or collected under this  
21 section for overnight use by nonprofit groups of organized group  
22 camps, primitive camping areas, or other facilities intended  
23 primarily for organized group use. Such surcharges shall be  
24 imposed within 90 days after any county creating a land  
25 authority notifies the Department of Environmental Protection  
26 that the land authority has been created. The proceeds from such  
27 surcharges, less a collection fee that shall be kept by the  
28 Department of Environmental Protection for the actual cost of  
29 collection, not to exceed 2 percent, shall be transmitted to the  
30 land authority of the county from which the revenue was  
31 generated. Such funds shall be used to purchase property in the  
32 area or areas of critical state concern in the county from which  
33 the revenue was generated. An amount not to exceed 10 percent  
34 may be used for administration and other costs incident to such  
35 purchases. However, the proceeds of the surcharges imposed and  
36 collected pursuant to this section in a state park or parks  
37 located wholly within a municipality, less the costs of  
38 collection as provided herein, shall be transmitted to that  
39 municipality for use by the municipality for land acquisition or  
40 for beach renourishment and/or restoration, including, but not  
41 limited to, costs associated with any design, permitting,  
42 monitoring and mitigation of such work, as well as the work  
43 itself. However these funds shall not be included in any  
44 calculation used for providing state matching funds for local  
45 contributions for beach renourishment and/or restoration. The  
46 surcharges levied under this section shall remain imposed as  
47 long as the land authority is in existence.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No.

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**T I T L E   A M E N D M E N T**

53

Remove line 113 and insert:

54

act; amending s. 380.0685; relating to use of surcharges for

55

beach renourishment and or restoration; repealing Rules 9J-5 and

56

9J-11.023, Florida



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 14

COMMITTEE/SUBCOMMITTEE ACTION

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

*NOT Considered*

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Workman offered the following:

3  
4 **Amendment**

5 Between lines 7586 and 7587, insert:

6 Section 53. Section 380.0685, Florida Statutes, is amended  
7 to read:

8 380.0685 State park in area of critical state concern in  
9 county which creates land authority; surcharge on admission and  
10 overnight occupancy.—The Department of Environmental Protection  
11 shall impose and collect a surcharge of 50 cents per person per  
12 day, or \$5 per annual family auto entrance permit, on admission  
13 to all state parks in areas of critical state concern located in  
14 a county which creates a land authority pursuant to s.  
15 380.0663(1), and a surcharge of \$2.50 per night per campsite,  
16 cabin, or other overnight recreational occupancy unit in state  
17 parks in areas of critical state concern located in a county  
18 which creates a land authority pursuant to s. 380.0663(1);  
19 however, no surcharge shall be imposed or collected under this

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 14

20 section for overnight use by nonprofit groups of organized group  
21 camps, primitive camping areas, or other facilities intended  
22 primarily for organized group use. Such surcharges shall be  
23 imposed within 90 days after any county creating a land  
24 authority notifies the Department of Environmental Protection  
25 that the land authority has been created. The proceeds from such  
26 surcharges, less a collection fee that shall be kept by the  
27 Department of Environmental Protection for the actual cost of  
28 collection, not to exceed 2 percent, shall be transmitted to the  
29 land authority of the county from which the revenue was  
30 generated. Such funds shall be used to purchase property in the  
31 area or areas of critical state concern in the county from which  
32 the revenue was generated. An amount not to exceed 10 percent  
33 may be used for administration and other costs incident to such  
34 purchases. However, the proceeds of the surcharges imposed and  
35 collected pursuant to this section in a state park or parks  
36 located wholly within a municipality, less the costs of  
37 collection as provided herein, shall be transmitted to that  
38 municipality for use by the municipality for land acquisition or  
39 for beach renourishment and/or restoration, including, but not  
40 limited to, costs associated with any design, permitting,  
41 monitoring and mitigation of such work, as well as the work  
42 itself. However these funds shall not be included in any  
43 calculation used for providing state matching funds for local  
44 contributions for beach renourishment and/or restoration. The  
45 surcharges levied under this section shall remain imposed as  
46 long as the land authority is in existence.

Amendment No. 15

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<u>✓</u>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Workman offered the following:

**Amendment (with title amendment)**

Between lines 7886 and 7887, insert:

3  
 4  
 5  
 6 Section 65. Any permit or any other authorization that was  
 7 extended under section 14, chapter 2009-96, Laws of Florida, as  
 8 re-authorized by section 47, chapter 2010-147, Laws of Florida,  
 9 is extended and renewed for an additional period of two years  
 10 from its extended expiration date. The holder of a valid permit  
 11 or other authorization that is eligible for the additional two-  
 12 year extension must notify the authorizing agency in writing by  
 13 December 31, 2011, identifying the specific authorization for  
 14 which the holder intends to use the extension and the  
 15 anticipated time frame for acting on the authorization.

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Amendment No. 15

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24

**T I T L E   A M E N D M E N T**

Remove line 126 and insert:

changes made by this act; extending permits and other  
authorizations extended under section 14, chapter 2009-96, Laws  
of Florida; requiring the state land

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 16

COMMITTEE/SUBCOMMITTEE ACTION

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

11Y 6N

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Workman offered the following:

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

5 Remove lines 7406-7557 and insert:

6 Section 51. Paragraph (b) of subsection (6), paragraph (c)  
7 of subsection (19), paragraphs (l), (m), (s), and (t) of  
8 subsection (24), paragraph (e) of subsection (28), and  
9 paragraphs (a), (d), and (e) of subsection (29) of section  
10 380.06, Florida Statutes, are amended and paragraph (u) and (v)  
11 of subsection (24), and subsection (30) of section 380.06,  
12 Florida Statutes, are created to read:

13 380.06 Developments of regional impact.—

14 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT; CONCURRENT  
15 PLAN AMENDMENTS.—

16 (b) Any local government comprehensive plan amendments  
17 related to a proposed development of regional impact, including  
18 any changes proposed under subsection (19), may be initiated by  
19 a local planning agency or the developer and must be considered

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 16

20 by the local governing body at the same time as the application  
21 for development approval using the procedures provided for local  
22 plan amendment in s. 163.3187 or s. 163.3189 and applicable  
23 local ordinances, without regard to ~~statutory or local ordinance~~  
24 limits on the frequency of consideration of amendments to the  
25 local comprehensive plan. Nothing in this paragraph shall be  
26 deemed to require favorable consideration of a plan amendment  
27 solely because it is related to a development of regional  
28 impact. The procedure for processing such comprehensive plan  
29 amendments is as follows:

30 1. If a developer seeks a comprehensive plan amendment  
31 related to a development of regional impact, the developer must  
32 so notify in writing the regional planning agency, the  
33 applicable local government, and the state land planning agency  
34 no later than the date of preapplication conference or the  
35 submission of the proposed change under subsection (19).

36 2. When filing the application for development approval or  
37 the proposed change, the developer must include a written  
38 request for comprehensive plan amendments that would be  
39 necessitated by the development-of-regional-impact approvals  
40 sought. That request must include data and analysis upon which  
41 the applicable local government can determine whether to  
42 transmit the comprehensive plan amendment pursuant to s.  
43 163.3184.

44 3. The local government must advertise a public hearing on  
45 the transmittal within 30 days after filing the application for  
46 development approval or the proposed change and must make a

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 16

47 determination on the transmittal within 60 days after the  
48 initial filing unless that time is extended by the developer.

49 4. If the local government approves the transmittal,  
50 procedures set forth in s. 163.3184(4)(b)-(d)~~(3)-(6)~~ must be  
51 followed.

52 5. Notwithstanding subsection (11) or subsection (19), the  
53 local government may not hold a public hearing on the  
54 application for development approval or the proposed change or  
55 on the comprehensive plan amendments sooner than 30 days from  
56 receipt of the response from the state land planning agency  
57 pursuant to s. 163.3184(4)(d)~~(6)~~. ~~The 60-day time period for~~  
58 ~~local governments to adopt, adopt with changes, or not adopt~~  
59 ~~plan amendments pursuant to s. 163.3184(7) shall not apply to~~  
60 ~~concurrent plan amendments provided for in this subsection.~~

61 6. The local government must hear both the application for  
62 development approval or the proposed change and the  
63 comprehensive plan amendments at the same hearing. However, the  
64 local government must take action separately on the application  
65 for development approval or the proposed change and on the  
66 comprehensive plan amendments.

67 7. Thereafter, the appeal process for the local government  
68 development order must follow the provisions of s. 380.07, and  
69 the compliance process for the comprehensive plan amendments  
70 must follow the provisions of s. 163.3184.

71 (19) SUBSTANTIAL DEVIATIONS.—

72 (c) An extension of the date of buildout of a development,  
73 or any phase thereof, by more than 7 years is presumed to create

Amendment No. 16

74 a substantial deviation subject to further development-of-  
75 regional-impact review.

76 1. An extension of the date of buildout, or any phase  
77 thereof, of more than 5 years but not more than 7 years is  
78 presumed not to create a substantial deviation. The extension of  
79 the date of buildout of an areawide development of regional  
80 impact by more than 5 years but less than 10 years is presumed  
81 not to create a substantial deviation. These presumptions may be  
82 rebutted by clear and convincing evidence at the public hearing  
83 held by the local government. An extension of 5 years or less is  
84 not a substantial deviation.

85 2. In recognition of the slowed economy and its effects on  
86 real estate market conditions, at the option of the developer,  
87 all commencement, phase, buildout, and expiration dates for  
88 projects that are currently valid developments of regional  
89 impact are extended for 7 years regardless of any prior  
90 extension. Associated mitigation requirements are extended for  
91 the same period. The 7-year extension is not a substantial  
92 deviation, is not subject to further development-of-regional-  
93 impact review, and may not be considered when determining  
94 whether a subsequent extension is a substantial deviation under  
95 this subsection. The developer must notify the local government  
96 in writing by December 31, 2011, in order to receive the 7-year  
97 extension.

98  
99 For the purpose of calculating when a buildout or phase date has  
100 been exceeded, the time shall be tolled during the pendency of  
101 administrative or judicial proceedings relating to development



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 16

102 permits. Any extension of the buildout date of a project or a  
103 phase thereof shall automatically extend the commencement date  
104 of the project, the termination date of the development order,  
105 the expiration date of the development of regional impact, and  
106 the phases thereof if applicable by a like period of time. ~~In~~  
107 ~~recognition of the 2007 real estate market conditions, all~~  
108 ~~phase, buildout, and expiration dates for projects that are~~  
109 ~~developments of regional impact and under active construction on~~  
110 ~~July 1, 2007, are extended for 3 years regardless of any prior~~  
111 ~~extension. The 3 year extension is not a substantial deviation,~~  
112 ~~is not subject to further development of regional impact review,~~  
113 ~~and may not be considered when determining whether a subsequent~~  
114 ~~extension is a substantial deviation under this subsection.~~

115 (24) STATUTORY EXEMPTIONS.—

116 (1) Any proposed development within an urban service  
117 boundary established under s. 163.3177(14), which is not  
118 otherwise exempt pursuant to subsection (29), is exempt from the  
119 provisions of this section if the local government having  
120 jurisdiction over the area where the development is proposed has  
121 adopted the urban service boundary, has entered into a binding  
122 agreement with jurisdictions that would be impacted and with the  
123 Department of Transportation regarding the mitigation of impacts  
124 on state and regional transportation facilities, ~~and has adopted~~  
125 ~~a proportionate share methodology pursuant to s. 163.3180(16).~~

126 (m) Any proposed development within a rural land  
127 stewardship area created under s. 163.3248 ~~163.3177(11)(d)~~ ~~is~~  
128 ~~exempt from the provisions of this section if the local~~  
129 ~~government that has adopted the rural land stewardship area has~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 16

130 ~~entered into a binding agreement with jurisdictions that would~~  
131 ~~be impacted and the Department of Transportation regarding the~~  
132 ~~mitigation of impacts on state and regional transportation~~  
133 ~~facilities, and has adopted a proportionate share methodology~~  
134 ~~pursuant to s. 163.3180(16).~~

135 (s) Any development in a detailed specific area plan which  
136 is prepared and adopted pursuant to s. 163.3245 and adopted into  
137 the comprehensive plan is exempt from this section.

138 (t) Any proposed solid mineral mine and any proposed  
139 addition to, expansion of, or change to an existing solid  
140 mineral mine is exempt from the provisions of this section.  
141 Proposed changes to any previously approved solid mineral mine  
142 development of regional impact development orders having vested  
143 rights is not subject to further review or approval as a  
144 development of regional impact or notice of proposed change  
145 review or approval pursuant to subsection (19), except for those  
146 applications pending as of July 1, 2011, which shall be governed  
147 by s. 380.115(2). Notwithstanding the foregoing, however,  
148 pursuant to s. 380.115(1), previously approved solid mineral  
149 mine development of regional impact development orders shall  
150 continue to enjoy vested rights and continue to be effective  
151 unless rescinded by the developer. All local government  
152 regulations of proposed solid mineral mines shall be applicable  
153 to any new solid mineral mine or to any proposed addition to,  
154 expansion of, or change to an existing solid mineral mine.

155 (u) Notwithstanding any provisions in an agreement with or  
156 among a local government, regional agency or the state land  
157 planning agency or in a local government's comprehensive plan to

Amendment No. 16

158 the contrary, a project no longer subject to development of  
159 regional impact review under revised thresholds shall not be  
160 required to undergo such review.

161 (v) Any development within a county with a research and  
162 education authority created by special act and that is also  
163 within a research and development park that is operated or  
164 managed by a research and development authority pursuant to part  
165 V of chapter 159 is exempt from this section.

166

167 If a use is exempt from review as a development of regional  
168 impact under paragraphs (a) - (u)~~(s)~~, but will be part of a  
169 larger project that is subject to review as a development of  
170 regional impact, the impact of the exempt use must be included  
171 in the review of the larger project, unless such exempt use  
172 involves a development of regional impact that includes a  
173 landowner, tenant, or user that has entered into a funding  
174 agreement with the Office of Tourism, Trade, and Economic  
175 Development under the Innovation Incentive Program and the  
176 agreement contemplates a state award of at least \$50 million.

177 (28) PARTIAL STATUTORY EXEMPTIONS.—

178 (e) The vesting provision of s. 163.3167~~(5)~~~~(8)~~ relating to  
179 an authorized development of regional impact shall not apply to  
180 those projects partially exempt from the development-of-  
181 regional-impact review process under paragraphs (a)-(d).

182 (29) EXEMPTIONS FOR DENSE URBAN LAND AREAS.—

183 (a) The following are exempt from this section:

184 1. Any proposed development in a municipality that has an  
185 average of at least 1,000 people per square mile of land area

Amendment No. 16

186 and a minimum total population of at least 5,000 ~~qualifies as a~~  
187 ~~dense urban land area as defined in s. 163.3164;~~

188 2. Any proposed development within a county that has an  
189 average of at least 1,000 people per square mile of land area  
190 ~~qualifies as a dense urban land area as defined in s. 163.3164~~  
191 and that is located within an urban service area as defined in  
192 s. 163.3164 which has been adopted into the comprehensive plan;  
193 or

194 3. Any proposed development within a county, including the  
195 municipalities located therein, which has a population of at  
196 least 900,000, that has an average of at least 1,000 people per  
197 square mile of land area ~~which qualifies as a dense urban land~~  
198 ~~area under s. 163.3164~~, but which does not have an urban service  
199 area designated in the comprehensive plan.

200

201 The Office of Economic and Demographic Research within the  
202 Legislature shall annually calculate the population and density  
203 criteria needed to determine which jurisdictions meet the  
204 density criteria in subparagraphs 1.-3. by using the most recent  
205 land area data from the decennial census conducted by the Bureau  
206 of the Census of the United States Department of Commerce and  
207 the latest available population estimates determined pursuant to  
208 s. 186.901. If any local government has had an annexation,  
209 contraction, or new incorporation, the Office of Economic and  
210 Demographic Research shall determine the population density  
211 using the new jurisdictional boundaries as recorded in  
212 accordance with s. 171.091. The Office of Economic and  
213 Demographic Research shall annually submit to the state land

Amendment No. 16

214 planning agency by July 1 a list of jurisdictions that meet the  
215 total population and density criteria. The state land planning  
216 agency shall publish the list of jurisdictions on its Internet  
217 website within 7 days after the list is received. The  
218 designation of jurisdictions that meet the density criteria of  
219 subparagraphs 1.-3. is effective upon publication on the state  
220 land planning agency's Internet website. Any area that has met  
221 the density criteria may not thereafter be removed from the list  
222 of areas that qualify.

223 (d) A development that is located partially outside an  
224 area that is exempt from the development-of-regional-impact  
225 program must undergo development-of-regional-impact review  
226 pursuant to this section; however if the total acreage that is  
227 included within the area exempt from development of regional  
228 impact review exceeds 85 percent of the total acreage and square  
229 footage of the approved development of regional impact, the  
230 development of regional impact development order may be  
231 rescinded in both local governments pursuant to s. 380.115(1).

232 (e) In an area that is exempt under paragraphs (a)-(c),  
233 any previously approved development-of-regional-impact  
234 development orders shall continue to be effective, but the  
235 developer has the option to be governed by s. 380.115(1). A  
236 pending application for development approval shall be governed  
237 by s. 380.115(2). ~~A development that has a pending application~~  
238 ~~for a comprehensive plan amendment and that elects not to~~  
239 ~~continue development of regional impact review is exempt from~~  
240 ~~the limitation on plan amendments set forth in s. 163.3187(1)~~  
241 ~~for the year following the effective date of the exemption.~~

Amendment No. 16

242 (30) TEMPORARY INCREASES IN THRESHOLDS, STANDARDS AND  
243 SUBSTANTIAL DEVIATIONS. -

244 (a) Notwithstanding the provisions of paragraph (2)(d) a  
245 development that is below 150 percent of all numerical  
246 thresholds in the guidelines and standards shall not be required  
247 to undergo development-of-regional impact review. Projects  
248 between 100 percent and 150 percent of all numerical thresholds  
249 shall notify the state land planning agency and the applicable  
250 regional planning council of the proposed development plan and  
251 shall annually report, for a period of five years progress in  
252 developing the development plan.

253 (b) Notwithstanding the provisions of sub-subparagraph  
254 (2)(d)1.b., a development that is at or above 200 percent of any  
255 numerical threshold shall be required to undergo development-of-  
256 regional impact review.

257 (c) Notwithstanding the provisions of subparagraph (2)(d)2.  
258 It shall be presumed that a development that is at or above 150  
259 to 200 percent of a numerical threshold shall be required to  
260 undergo development of regional impact review. This presumption  
261 may be rebutted by clear and convincing evidence.

262 (d) Notwithstanding the provisions of paragraph (19)(b),  
263 the criteria of paragraph (19)(b) shall be increased by 100  
264 percent before a change constitutes a substantial deviation.  
265 Projects with changes that would have triggered a substantial  
266 deviation under paragraph(19)(b)if this paragraph did not apply  
267 shall notify the state land planning agency and the applicable  
268 regional planning council of the modified development plan and

Amendment No. 16

269 shall annually report, for a period of five years progress in  
270 developing the modified development plan.

271 (e) The Office of Program Policy Analysis and Government  
272 Accountability shall submit to the Governor, the President of  
273 the Senate, and the Speaker of the House of Representatives by  
274 December 1, 2017, a report and recommendations for modifying  
275 current numerical thresholds and guidelines on what projects  
276 constitute a development of regional impact and the criteria for  
277 what constitutes a substantial deviation. The Office of Program  
278 Policy Analysis and Government Accountability shall review the  
279 annual reports of the developments that have notified the state  
280 land planning agency that they meet the criteria of this  
281 paragraph. The Office of Program Policy Analysis and Government  
282 Accountability shall consult the state land planning agency, the  
283 regional planning councils, other reviewing and permitting  
284 agencies as appropriate, a sampling of developers with approved  
285 developments of regional impact and their representatives, and a  
286 sampling of developments reporting on progress in developing and  
287 associated local governments and adjacent local governments  
288 concerning the experience and recommendations concerning the  
289 development of regional impact program. In reviewing the  
290 experience relating to the regional impacts of the increased  
291 thresholds and criteria, the report should consider changes to  
292 thresholds and criteria, removal of categories of development  
293 types from the development of regional impact provisions, and  
294 the repeal of the program in its entirety.

295

296

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 16

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

Remove line 111 and insert:

intent; amending s. 380.06, F.S.; providing for extension of  
expiration dates; revising and creating exemptions; providing  
for temporary increase in thresholds, substantial deviations;  
providing a presumption; directing the Office of Program Policy  
Analysis and Government Accountability to submit a report and  
recommendations;



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7129 (2011)

Amendment No. 17

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Workman offered the following:

3

4 **Amendment**

5 Remove line 1017 and insert:

6 of Florida's Bureau of Economic and Business Research for at  
7 least a 10-year planning period unless otherwise limited under  
8 s. 380.05 including related rules of the Administration  
9 Commission.

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 7163 : Former Department of Labor and Employment Security

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth			X		
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 7165 : Florida-Caribbean Basin Trade Initiative

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 7167 : Florida Trade Data Center

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth			X		
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 7169 : Microenterprises

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth			X		
Brad Drake	X				
Doug Holder	X				
Evan Jenne			X		
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 7171 : Pub. Rec./U.S. Department of Defense Base Realignment Closure 2005 Process

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth			X		
Brad Drake	X				
Doug Holder	X				
Evan Jenne			X		
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 7173 : Inner City Redevelopment Review Panel

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 18</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 7175 : Displaced Local Exchange Telecommunications Company Workers

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 18</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM



# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

HB 7177 : Rulemaking for the Transition Assistance Program

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 18</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

3/31/2011 12:00:00PM

Location: Reed Hall (102 HOB)

**HB 7181 : Repeal of the Correlation of Mitigation Discounts, Credits, or Other Rate Differentials to the Uniform Home Grading Scale**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Frank Artiles	X				
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne		X			
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 1</b>			

Committee meeting was reported out: Thursday, March 31, 2011 7:41:29PM