



Transportation & Economic Development Appropriations Committee

**Friday, March 26, 2010
8:30 a.m. – 11:00 a.m.
Morris Hall
17 House Office Building**

ACTION PACKET

**Larry Cretul
Speaker**

**Richard Glorioso
Chair**

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

3/26/2010 8:30:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Richard Glorioso (Chair)	X		
Gary Aubuchon	X		
Esteban Bovo, Jr.			X
Jennifer Carroll	X		
Joseph Gibbons			X
Audrey Gibson	X		
Mike Horner	X		
Dorothy Hukill	X		
Evan Jenne	X		
Dave Murzin	X		
Jimmy Patronis	X		
Hazelle Rogers	X		
Maria Sachs			X
Robert Schenck	X		
Totals:	11	0	3

Committee meeting was reported out: Friday, March 26, 2010 10:12:48AM

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

3/26/2010 8:30:00AM

Location: Morris Hall (17 HOB)

Summary:

Transportation & Economic Development Appropriations Committee

Friday March 26, 2010 08:30 am

HB 9	Favorable	Yeas: 9	Nays: 0
CS/HB 631	Favorable With Committee Substitute	Yeas: 8	Nays: 0
CS/HB 1271	Favorable With Committee Substitute	Yeas: 10	Nays: 0
CS/HB 1297	Favorable	Yeas: 8	Nays: 0
CS/HB 1331	Favorable	Yeas: 9	Nays: 0

Committee meeting was reported out: Friday, March 26, 2010 10:12:48AM

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

3/26/2010 8:30:00AM

Location: Morris Hall (17 HOB)

HB 9 : Relief/Stephen Hall/DOT

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Esteban Bovo, Jr.			X		
Jennifer Carroll	X				
Joseph Gibbons			X		
Audrey Gibson	X				
Mike Horner	X				
Dorothy Hukill	X				
Evan Jenne	X				
Dave Murzin	X				
Jimmy Patronis				X	
Hazelle Rogers	X				
Maria Sachs			X		
Robert Schenck				X	
Richard Glorioso (Chair)	X				
Total Yeas: 9		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 10:12:48AM

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

3/26/2010 8:30:00AM

Location: Morris Hall (17 HOB)

CS/HB 631 : Motor Vehicles

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Esteban Bovo, Jr.			X		
Jennifer Carroll	X				
Joseph Gibbons			X		
Audrey Gibson	X				
Mike Horner	X				
Dorothy Hukill	X				
Evan Jenne				X	
Dave Murzin	X				
Jimmy Patronis				X	
Hazelle Rogers	X				
Maria Sachs			X		
Robert Schenck				X	
Richard Glorioso (Chair)	X				
Total Yeas: 8		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 10:12:48AM

Amendment No. 1

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Transportation & Economic
 2 Development Appropriations Committee
 3 Representative Gibson offered the following:

Amendment (with title amendment)

Remove lines 110-114 and insert:

7 (4)+5) A local government may adopt an ordinance to allow
 8 the towing of a motor vehicle parked in violation of this
 9 section. A law enforcement officer, compliance officer, code
 10 enforcement officer from any local government agency, or
 11 supervisor of the department may issue a citation and cause to
 12 be immediately removed at the owner's expense any motor vehicle
 13 found in violation of subsection (1) except as provided in
 14 subsections (2) and (3), subsection (5), subsection (6),
 15 subsection (7),

Amendment No. 1

20 | **T I T L E A M E N D M E N T**

21 | Remove line 13 and insert:

22 | enforcement; authorizing a local government to adopt an
23 | ordinance to enforce such provisions; authorizing a code
24 | enforcement officer from

Amendment No. 2

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Transportation & Economic
2 Development Appropriations Committee
3 Representative(s) Horner offered the following:
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5 **Amendment (with title amendment)**

6 Between lines 514 and 515, insert:

7 Section 9. Paragraph (a) of subsection (3) of section
8 316.1905, Florida Statutes, is amended to read:

9 316.1905 Electrical, mechanical, or other speed
10 calculating devices; power of arrest; evidence.—

11 (3) (a) A witness otherwise qualified to testify shall be
12 competent to give testimony against an accused violator of the
13 speed ~~motor vehicle~~ laws of this state only when such testimony
14 is derived from the use of such an electronic, electrical,
15 mechanical, or other device used in the calculation of speed,
16 upon showing that the speed calculating device which was used
17 had been tested. However, the operator of any visual average
18 speed computer device shall first be certified as a competent
19 operator of such device by the department.

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 631 (2010)

Amendment No. 2

20 Section 10. Subsection (9) of section 318.14, Florida
21 Statutes, is amended to read:

22 318.14 Noncriminal traffic infractions; exception;
23 procedures.—

24 (9) Any person who does not hold a commercial driver's
25 license and who is cited for an infraction under this section
26 other than a violation of s. 316.183(2), s. 316.187, or s.
27 316.189 when the driver exceeds the posted limit by 30 miles per
28 hour or more, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065,
29 s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu of a court
30 appearance, elect to attend in the location of his or her choice
31 within this state a basic driver improvement course approved by
32 the Department of Highway Safety and Motor Vehicles. In such a
33 case, adjudication must be withheld and points, as provided by
34 s. 322.27, may not be assessed. However, a person may not make
35 an election under this subsection if the person has made an
36 election under this subsection in the preceding 12 months. A
37 person may make no more than five elections within his or her
38 lifetime ~~10 years~~ under this subsection. The requirement for
39 community service under s. 318.18(8) is not waived by a plea of
40 nolo contendere or by the withholding of adjudication of guilt
41 by a court. If a person makes an election to attend a basic
42 driver improvement course under this subsection, 18 percent of
43 the civil penalty imposed under s. 318.18(3) shall be deposited
44 in the State Courts Revenue Trust Fund; however, that portion is
45 not revenue for purposes of s. 28.36 and may not be used in
46 establishing the budget of the clerk of the court under that
47 section or s. 28.35.

Amendment No. 2

48 Section 11. Subsection (4) of section 322.0261, Florida
49 Statutes, is amended to read:

50 322.0261 Driver improvement course; requirement to
51 maintain driving privileges; failure to complete; department
52 approval of course.-

53 (4) The department shall identify any operator convicted
54 of, or who pleaded nolo contendere to, a violation of s.
55 316.074(1), s. 316.075(1)(c)1., s. 316.172, s. 316.191, or s.
56 316.192 and shall require that operator, unless the court
57 withholds adjudication, in addition to other applicable
58 penalties, to attend a department-approved driver improvement
59 course in order to maintain driving privileges. If the operator
60 fails to complete the course within 90 days after receiving
61 notice from the department, the operator's driver license shall
62 be canceled by the department until the course is successfully
63 completed.

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

68 Remove line 48 and insert:

69 the school; amending s.316.1905, F.S.; conforming
70 provisions; amending s. 318.14, F.S.; providing a
71 lifetime limitation on the number of times a person
72 may elect to attend a driver improvement course in
73 lieu of a court appearance; amending s. 322.0261,
74 F.S.; providing an exemption from a requirement to
75 attend a driver improvement course for drivers if

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 631 (2010)

Amendment No. 2

76 adjudication is withheld by the court; providing an
77 effective date.

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COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

3/26/2010 8:30:00AM

Location: Morris Hall (17 HOB)

CS/HB 1271 : Department of Transportation

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Esteban Bovo, Jr.			X		
Jennifer Carroll	X				
Joseph Gibbons			X		
Audrey Gibson	X				
Mike Horner	X				
Dorothy Hukill	X				
Evan Jenne				X	
Dave Murzin	X				
Jimmy Patronis	X				
Hazelle Rogers	X				
Maria Sachs			X		
Robert Schenck	X				
Richard Glorioso (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Appearances:

Truck Weights

H. Lee Moffitt (Lobbyist) - Proponent

AAA Auto Club South

3225 South MacDill

Tampa FL 33629

Phone: (813) 831-1500

Committee meeting was reported out: Friday, March 26, 2010 10:12:48AM

Amendment No. 1

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Transportation & Economic
 2 Development Appropriations Committee
 3 Representative(s) Horner offered the following:

Amendment (with title amendment)

Remove lines 312-455 and insert:

7 Section 4. Paragraphs (c) and (d) of subsection (3) of
 8 section 316.545, Florida Statutes, are redesignated as
 9 paragraphs (d) and (e), respectively, and paragraph (c) is added
 10 to that subsection, to read:

11 316.545 Weight and load unlawful; special fuel and motor
 12 fuel tax enforcement; inspection; penalty; review.—

13 (3) Any person who violates the overloading provisions of
 14 this chapter shall be conclusively presumed to have damaged the
 15 highways of this state by reason of such overloading, which
 16 damage is hereby fixed as follows:

17 (c) For a vehicle equipped with fully functional idle-
 18 reduction technology, any penalty shall be calculated by
 19 reducing the actual gross vehicle weight or the internal bridge

Amendment No. 1

20 weight by the certified weight of the idle-reduction technology
21 or by 400 pounds, whichever is less. The vehicle operator must
22 present written certification of the weight of the idle-
23 reduction technology and must demonstrate or certify that the
24 idle-reduction technology is fully functional at all times. This
25 calculation is not allowed for vehicles described in s.
26 316.535(6);

27 Section 5. Subsections (4), (5), (6), (7), (8), (9), and
28 (10) of section 316.550, Florida Statutes, are renumbered as
29 subsections (5), (6), (7), (8), (9), (10), and (11),
30 respectively, and subsection (4) is added to that section, to
31 read:

32 316.550 Operations not in conformity with law; special
33 permits.—

34 (4) (a) The Department of Transportation or local authority
35 may issue permits which authorize commercial vehicles
36 transporting agricultural products with weights not exceeding
37 the limits of s. 316.535(5), plus the scale tolerance provided
38 in s. 316.545(2), F.S., to operate off the Interstate Highway
39 System on a designated route specified in the permit.

40 (b) The designated route shall avoid any bridge which the
41 department determines cannot safely accommodate vehicles with a
42 gross vehicle weight authorized in paragraph (a).

43 (c) Any vehicle or combination of vehicles which exceeds
44 the weight limits authorized in paragraph (a) shall be unloaded
45 and all material so unloaded shall be cared for by the owner or
46 operator.

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Amendment No. 1

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

Remove lines 12-26 and insert:

trucks; amending s. 316.545, F.S.; providing for a reduction in the gross weight of certain vehicles equipped with idle-reduction technologies when calculating a penalty for exceeding maximum weight limits; requiring the operator to provide certification of the weight of the idle-reduction technology and to demonstrate or certify that the idle-reduction technology is fully functional at all times; amending s. 316.550, F.S.; authorizing the Department of Transportation or local authority to issue permits for certain vehicles to operate on certain routes; providing restrictions on routes; providing conditions when vehicles must be unloaded;

Amendment No. 2

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Transportation & Economic
2 Development Appropriations Committee
3 Representative(s) Horner offered the following:
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5 **Amendment (with title amendment)**

6 Between lines 503 and 504, insert:

7 Section 7. Subsection (5) of section 320.08, Florida
8 Statutes, is amended to read:

9 320.08 License taxes.—Except as otherwise provided herein,
10 there are hereby levied and imposed annual license taxes for the
11 operation of motor vehicles, mopeds, motorized bicycles as
12 defined in s. 316.003(2), and mobile homes, as defined in s.
13 320.01, which shall be paid to and collected by the department
14 or its agent upon the registration or renewal of registration of
15 the following:

16 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
17 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

18 (a)1. A semitrailer drawn by a GVW truck tractor by means
19 of a fifth-wheel arrangement: \$13.50 flat per registration year

Amendment No. 2

20 or any part thereof, of which \$3.50 shall be deposited into the
21 General Revenue Fund.

22 2. A semitrailer drawn by a GVW truck tractor by means of
23 a fifth-wheel arrangement: \$68 flat per permanent registration,
24 of which \$18 shall be deposited into the General Revenue Fund.

25 (b) A motor vehicle equipped with machinery and designed
26 for the exclusive purpose of well drilling, excavation,
27 construction, spraying, or similar activity, and which is not
28 designed or used to transport loads other than the machinery
29 described above over public roads: \$44 flat, of which \$11.50
30 shall be deposited into the General Revenue Fund.

31 (c) A school bus used exclusively to transport pupils to
32 and from school or school or church activities or functions
33 within their own county: \$41 flat, of which \$11 shall be
34 deposited into the General Revenue Fund.

35 (d) A wrecker, as defined in s. 320.01(40), which is used
36 to tow a vessel as defined in s. 327.02(39), a disabled,
37 abandoned, stolen-recovered, or impounded motor vehicle as
38 defined in s. 320.01(38), or a replacement motor vehicle as
39 defined in s. 320.01(39): \$41 flat, of which \$11 shall be
40 deposited into the General Revenue Fund.

41 (e) A wrecker that is used to tow any nondisabled motor
42 vehicle, ~~regardless of whether such motor vehicle is a disabled~~
43 ~~motor vehicle, a replacement motor vehicle,~~ a vessel, or any
44 other cargo, unless used as defined in paragraph (d), as
45 follows:

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 1271 (2010)

Amendment No. 2

46 1. Gross vehicle weight of 10,000 pounds or more, but less
47 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited
48 into the General Revenue Fund.

49 2. Gross vehicle weight of 15,000 pounds or more, but less
50 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited
51 into the General Revenue Fund.

52 3. Gross vehicle weight of 20,000 pounds or more, but less
53 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited
54 into the General Revenue Fund.

55 4. Gross vehicle weight of 26,000 pounds or more, but less
56 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited
57 into the General Revenue Fund.

58 5. Gross vehicle weight of 35,000 pounds or more, but less
59 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited
60 into the General Revenue Fund.

61 6. Gross vehicle weight of 44,000 pounds or more, but less
62 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited
63 into the General Revenue Fund.

64 7. Gross vehicle weight of 55,000 pounds or more, but less
65 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited
66 into the General Revenue Fund.

67 8. Gross vehicle weight of 62,000 pounds or more, but less
68 than 72,000 pounds: \$1,080 flat, of which \$280 shall be
69 deposited into the General Revenue Fund.

70 9. Gross vehicle weight of 72,000 pounds or more: \$1,322
71 flat, of which \$343 shall be deposited into the General Revenue
72 Fund.

Amendment No. 2

73 (f) A hearse or ambulance: \$40.50 flat, of which \$10.50
74 shall be deposited into the General Revenue Fund.

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

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Remove line 36 and insert:

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a 36-month period; amending s. 320.08, F.S.; providing that

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specified license tax provisions apply to wreckers used for

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certain purposes; amending s. 320.08058, F.S., revising

Amendment No. 3

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Transportation & Economic
2 Development Appropriations Committee
3 Representative(s) Horner offered the following:
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5 **Amendment (with title amendment)**

6 Between lines 993 and 994, insert:

7 Section 16. Subsection (4) of section 337.406, Florida
8 Statutes, is renumbered as subsection (5), respectively, and
9 subsection (4) is added to that section, to read:

10 337.406 Unlawful use of state transportation facility
11 right-of-way; penalties.—

12 (4) Camping is prohibited on any portion of the right-of-
13 way of the State Highway System that is within 100 feet of a
14 bridge, causeway, overpass, or ramp.

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

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 1271 (2010)

Amendment No. 3

20 Remove line 64 and insert:
21 and environmental factors; amending s. 337.406, F.S.;
22 prohibiting camping on certain parts of the right-of-way;
23 amending s. 338.155, F.S.;

Amendment No. 4

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Transportation & Economic
2 Development Appropriations Committee
3 Representative(s) Horner offered the following:
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5 **Amendment (with title amendment)**

6 Between lines 1022 and 1023, insert:

7 Section 17. Subsection (7) is added to section 341.051,
8 Florida Statutes, to read:

9 341.051 Administration and financing of public transit and
10 intercity bus service programs and projects.—

11 (7) (a) The Legislature of the State of Florida recognizes
12 the importance of encouraging the seamless use of local and
13 regional public transportation systems by residents of, and
14 visitors to, the State of Florida, wherever possible. The
15 paramount concern is to encourage the implementation of fare
16 collection systems that are interoperable and compatible with
17 multiple public transportation systems throughout the State of
18 Florida.

Amendment No. 4

19 (b) Notwithstanding any other provision of law to the
20 contrary, in order to facilitate the ease of transfer from one
21 public transportation system to another, any public transit
22 system which connects directly with a new public rail system put
23 into service after December 1, 2010, and which is adding a new
24 fare media system, or is upgrading its existing fare media
25 system, shall be required to utilize a uniyersal common
26 contactless fare media that is compatible with the American
27 Public Transportation Association's Contactless Fare Media
28 System (APTA--CMFS) Standard and allows users to purchase fares
29 at a single point-of-sale with coin, cash or credit card.
30 Nothing in this paragraph shall require the use of a universal
31 common contactless fare media for the paratransit element of any
32 transit system or by any public transit system that does not
33 share one or more points of origin or destination with a public
34 rail system.

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36 For purposes of this section, the term "net operating costs"
37 means all operating costs of a project less any federal funds,
38 fares, or other sources of income to the project.

39 Section 18. Subsection (7) of section 341.3025, Florida
40 Statutes, is renumbered as subsection (8), respectively, and
41 subsection (7) is added to that section, to read:

42 341.3025 Multicounty public rail system fares and
43 enforcement.--

44 (7) (a) The Legislature of the State of Florida recognizes
45 the importance of encouraging the seamless use of local and
46 regional public transportation systems by residents of, and

Amendment No. 4

47 visitors to, the State of Florida, wherever possible. The
48 paramount concern is to encourage the implementation of fare
49 collection systems that are interoperable and compatible with
50 multiple public transportation systems throughout the State of
51 Florida.

52 (b) Notwithstanding any other provision of law to the
53 contrary, in order to facilitate the ease of transfer from one
54 public transportation system to another, any new public rail
55 system that is constructed after December 1, 2010 by the State,
56 one of its agencies, a Regional Transportation Authority, or one
57 or more counties or municipalities shall be required to utilize
58 a universal common contactless fare media that is compatible
59 with the American Public Transportation Association's
60 Contactless Fare Media System (APTA--CMFS) Standard and allows
61 users to purchase fares at a single point-of-sale with coin,
62 cash or credit card. Additionally, any existing public rail
63 system that is adding a new fare media system, or is upgrading
64 its existing fare media system, shall also be required to
65 utilize a universal common contactless fare media that is
66 compatible with the American Public Transportation Association's
67 Contactless Fare Media System (APTA--CMFS) Standard and allows
68 users to purchase fares at a single point-of-sale with coin,
69 cash or credit card.

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

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 1271 (2010)

Amendment No. 4

75 Remove line 66 and insert:
76 payment; collection, and enforcement of tolls; amending s.
77 341.051, F.S.; requiring the use of universal common contactless
78 fare media on new or upgraded public rail transit systems
79 created by regional transportation authorities or counties;
80 amending s. 341.3025, F.S.; requiring the use of universal
81 common contactless fare media on new or upgraded public rail
82 transit systems created by regional transportation authorities
83 or counties; amending s.

Amendment No. 5

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Transportation & Economic
2 Development Appropriations Committee
3 Representative(s) Horner offered the following:
4

5 **Amendment (with title amendment)**

6 Remove lines 1941-1985 and insert:

7 Section 25. Subsections (2) and (5) and paragraph (b) of
8 subsection (9) of section 373.41492, Florida Statutes, are
9 amended to read:

10 373.41492 Miami-Dade County Lake Belt Mitigation Plan;
11 mitigation for mining activities within the Miami-Dade County
12 Lake Belt.—

13 (2) To provide for the mitigation of wetland resources
14 lost to mining activities within the Miami-Dade County Lake Belt
15 Plan, effective October 1, 1999, a mitigation fee is imposed on
16 each ton of limerock and sand extracted by any person who
17 engages in the business of extracting limerock or sand from
18 within the Miami-Dade County Lake Belt Area and the east one-
19 half of sections 24 and 25 and all of sections 35 and 36,

Amendment No. 5

20 Township 53 South, Range 39 East. The mitigation fee is imposed
21 for each ton of limerock and sand sold from within the
22 properties where the fee applies in raw, processed, or
23 manufactured form, including, but not limited to, sized
24 aggregate, asphalt, cement, concrete, and other limerock and
25 concrete products. The mitigation fee imposed by this subsection
26 for each ton of limerock and sand sold shall be 12 cents per ton
27 beginning January 1, 2007; 18 cents per ton beginning January 1,
28 2008; ~~and~~ 24 cents per ton beginning January 1, 2009, and 45
29 cents per ton beginning January 1, 2011. To upgrade a water
30 treatment plant that treats water coming from the Northwest
31 Wellfield in Miami-Dade County, a water treatment plant upgrade
32 fee is imposed within the same Lake Belt Area subject to the
33 mitigation fee and upon the same kind of mined limerock and sand
34 subject to the mitigation fee. The water treatment plant upgrade
35 fee imposed by this subsection for each ton of limerock and sand
36 sold shall be 15 cents per ton beginning on January 1, 2007, and
37 the collection of this fee shall cease once the total amount of
38 proceeds collected for this fee reaches the amount of the actual
39 moneys necessary to design and construct the water treatment
40 plant upgrade, as determined in an open, public solicitation
41 process. Any limerock or sand that is used within the mine from
42 which the limerock or sand is extracted is exempt from the fees.
43 The amount of the mitigation fee and the water treatment plant
44 upgrade fee imposed under this section must be stated separately
45 on the invoice provided to the purchaser of the limerock or sand
46 product from the limerock or sand miner, or its subsidiary or
47 affiliate, for which the fee or fees apply. The limerock or sand

Amendment No. 5

48 miner, or its subsidiary or affiliate, who sells the limerock or
49 sand product shall collect the mitigation fee and the water
50 treatment plant upgrade fee and forward the proceeds of the fees
51 to the Department of Revenue on or before the 20th day of the
52 month following the calendar month in which the sale occurs.

53 (5) ~~Each Beginning~~ January 1, ~~2010, and each January 1~~
54 ~~thereafter,~~ beginning January 1, 2010, through December 31,
55 2011, the per-ton mitigation fee shall be increased by 2.1
56 percentage points, plus a cost growth index. The cost growth
57 index shall be the percentage change in the weighted average of
58 the Employment Cost Index for All Civilian Workers (ecu 10001I),
59 issued by the United States Department of Labor for the most
60 recent 12-month period ending on September 30, and the
61 percentage change in the Producer Price Index for All
62 Commodities (WPU 00000000), issued by the United States
63 Department of Labor for the most recent 12-month period ending
64 on September 30, compared to the weighted average of these
65 indices for the previous year. The weighted average shall be
66 calculated as 0.6 times the percentage change in the Employment
67 Cost Index for All Civilian Workers (ecu 10001I), plus 0.4 times
68 the percentage change in the Producer Price Index for All
69 Commodities (WPU 00000000). If either index is discontinued, it
70 shall be replaced by its successor index, as identified by the
71 United States Department of Labor.

72 (9)

73 (b) No sooner than January 31, 2010, and no more
74 frequently than every 2 5 years thereafter, the interagency
75 committee shall submit to the Legislature a report recommending

Amendment No. 5

76 any needed adjustments to the mitigation fee, including the
77 annual escalator provided for in s. 373.41492(5), to ensure that
78 the revenue generated reflects the actual costs of the
79 mitigation.

80

81

82

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

83

84

Remove lines 169-171 and insert:

85

circumstances; amending s. 373.41492, F.S.; increasing the

86

mitigation fee for mining activities in the Miami-Dade County

87

Lake Belt; suspending the mitigation fee escalator effective a

88

date certain; modifying the frequency of an interagency

89

committee report; amending s. 403.4131, F.S.; removing

Amendment No. 6

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Transportation & Economic
2 Development Appropriations Committee
3 Representative(s) Zapata offered the following:
4

5 **Amendment (with title amendment)**

6 Between lines 889 and 890, insert:

7 Section 15. Section 337.140, Florida Statutes, is created
8 to read:

9 337.140 Small Business Participation Policy.-- It is the
10 intent of the legislature that the department promote the
11 utilization of small businesses by prime consultants and
12 contractors in the fulfillment of their contractual obligations
13 with the department. Notwithstanding any provision to the
14 contrary, in any county as defined in s. 125.011(1), the
15 department shall follow the Small Business Participation Policy
16 of the Miami-Dade Expressway Authority as approved on June 23,
17 2009, for all projects that are funded entirely by non-federal
18 funding sources.
19

Amendment No. 6

20

21

22

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

23

Remove line 56 and insert:

24

by an updated application; creating s. 337.140, F.S.; providing

25

legislative intent; requiring the Department to follow certain

26

policies in certain counties related to small business

27

participation; amending s. 337.401, F.S.;

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

3/26/2010 8:30:00AM

Location: Morris Hall (17 HOB)

CS/HB 1297 : Northeast Florida Regional Transportation

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Esteban Bovo, Jr.			X		
Jennifer Carroll	X				
Joseph Gibbons			X		
Audrey Gibson	X				
Mike Horner	X				
Dorothy Hukill	X				
Evan Jenne				X	
Dave Murzin				X	
Jimmy Patronis	X				
Hazelle Rogers	X				
Maria Sachs			X		
Robert Schenck				X	
Richard Glorioso (Chair)	X				
Total Yeas: 8		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 10:12:48AM

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

3/26/2010 8:30:00AM

Location: Morris Hall (17 HOB)

CS/HB 1331 : Transportation Projects

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Esteban Bovo, Jr.			X		
Jennifer Carroll	X				
Joseph Gibbons			X		
Audrey Gibson	X				
Mike Horner	X				
Dorothy Hukill	X				
Evan Jenne				X	
Dave Murzin	X				
Jimmy Patronis	X				
Hazelle Rogers	X				
Maria Sachs			X		
Robert Schenck				X	
Richard Glorioso (Chair)	X				
Total Yeas: 9		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 10:12:48AM