Introduction

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

Background

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

Analysis

Senator Simpson’s March 5, 2015 revisions to SB 484 provide an acceptable resolution to serious concerns expressed about the original bill by the Florida Regional Councils Association, Florida Association of Counties, Small Counties Coalition, and others. The amended bill eliminates obsolete and unnecessary statutory requirements related to regional planning councils; provides state funding for regional planning councils; and positions regional planning councils to better focus their efforts on: 1) strategically addressing problems of greater than local
government concern; 2) provide technical assistance to local governments, economic development organizations, and other stakeholders; and 3) expand the capacity of local government and others to provide service to the public and improve quality of life in the region.

Conclusion

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

Recommendation

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

Attachments
By the Committee on Community Affairs; and Senator Simpson

A bill to be entitled An act relating to regional planning councils; amending s. 163.3175, F.S.; deleting obsolete provisions; amending s. 163.3246, F.S.; removing restrictions on certain exemptions; amending s. 163.3248, F.S.; removing the requirement that regional planning councils provide assistance in developing a plan for a rural land stewardship area; amending s. 186.505, F.S.; removing the power of regional planning councils to establish and conduct cross-acceptance negotiation processes; amending s. 186.506, F.S.; removing the Governor’s authority to revise regional planning council district boundaries; creating s. 186.512, F.S.; subdividing the state into specified geographic regions for the purpose of regional comprehensive planning; amending s. 186.513, F.S.; deleting the requirement that regional planning councils make joint reports and recommendations; amending s. 253.7828, F.S.; conforming provisions to changes made by the act; amending s. 339.135, F.S.; deleting obsolete provisions; amending s. 339.155, F.S.; removing certain duties of regional planning councils; amending s. 380.06, F.S.; removing the requirement that certain developers submit biennial reports to regional planning agencies; amending s. 403.50663, F.S.; removing requirements relating to certain informational public meetings; amending s. 403.507, F.S.; removing the requirement that regional planning councils prepare reports addressing the...
impact of proposed electrical power plants; amending
s. 403.508, F.S.; removing the requirement that
regional planning councils participate in certain
proceedings; amending s. 403.5115, F.S.; conforming
provisions to changes made by the act; amending s.
403.526, F.S.; removing the requirement that regional
planning councils prepare reports addressing the
impact of proposed transmission lines or corridors;
amending s. 403.527, F.S.; removing the requirement
that regional planning councils parties participate in
certain proceedings; amending s. 403.5272, F.S.;
conforming provisions to changes made by the act;
amending s. 403.7264, F.S.; removing the requirement
that regional planning councils assist with amnesty
days for purging small quantities of hazardous wastes;
amending s. 403.941, F.S.; removing the requirement
that regional planning councils prepare reports
addressing the impact of proposed natural gas
transmission lines or corridors; amending s. 403.9411,
F.S.; removing the requirement that regional planning
councils participate in certain proceedings; amending
ss. 419.001 and 985.682, F.S.; removing provisions
relating to the use of a certain dispute resolution
process; repealing s. 186.0201, F.S., relating to
electric substation planning; repealing s. 260.018,
F.S., relating to agency recognition of certain
publicly owned lands and waters; providing an
appropriation; providing an effective date.

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

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

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

(9) If a local government, as required under s. 163.3177(2)(e), does not adopt criteria and address compatibility of lands adjacent to or closely proximate to existing military installations in its future land use plan element by June 30, 2012, the local government, the military installation, the state land planning agency, and other parties as identified by the regional planning council, including, but not limited to, private landowner representatives, shall enter into mediation conducted pursuant to s. 195.509. If the local government comprehensive plan does not contain criteria addressing compatibility by December 31, 2013, the agency may notify the Administration Commission. The Administration Commission may impose sanctions pursuant to s. 163.3104(5). Any local government that amended its comprehensive plan to address military installation compatibility requirements after 2004 and was found to be in compliance is deemed to be in compliance with this subsection until the local government conducts its evaluation and approval review pursuant to s. 163.3101 and determines that amendments are necessary to meet updated general law requirements.

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

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163.3246 Local government comprehensive planning certification program.—

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

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

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

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

163.3248 Rural land stewardship areas.—

(4) A local government or one or more property owners may request assistance and participation in the development of a plan for the rural land stewardship area from the state land planning agency, the Department of Agriculture and Consumer Services, the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the appropriate water management district, the Department of Transportation, the regional planning council, private land owners, and stakeholders.
Section 4. Subsection (22) of section 186.505, Florida Statutes, is amended to read:

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

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

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

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

(4) Conduct an in-depth analysis of the current boundaries of comprehensive planning districts to ensure that the regional planning councils working within them together form a workable system for effective regional planning, and that each council can adequately perform the tasks assigned to it by law. The Executive Office of the Governor shall include in its study the preferences of local general-purpose governments; the effects of population migration, transportation networks, population increases and decreases, economic development centers, trade areas, natural resource systems, federal program requirements, designated air quality nonattainment areas, economic relationships among cities and counties, and media markets; and other data, projections, or studies that it determines to be of significance in establishing district boundaries. The Executive Office of the Governor may recommend to the Legislature...
such changes in the district boundaries of the regional planning
councils as are found to be feasible and desirable, shall
complete a review of existing boundaries by January 1, 1994, and
may revise and update the boundaries from time to time
thereafter.

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

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

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

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

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

(4) Northeast Florida Regional Planning Council: Baker,

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

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

(7) Tampa Bay Regional Planning Council: Citrus, Hernando,
Hillsborough, Manatee, Pasco, and Pinellas Counties.

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

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

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

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

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

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

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

Section 9. Paragraph (1) of subsection (4) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request;

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

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

(4)(a) Notwithstanding paragraph (a) and for the 2014-2015 fiscal year only, the department may use up to $35 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of project costs for publicly owned eligible projects. Preference shall be given to projects that support the state’s economic regions, or that have been identified as regionally significant in accordance with s. 339.155(1)(c), (d), and (e), and that have an increased level of nonstate match. This paragraph expires July 1, 2015.

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

339.155 Transportation planning.--

(4) ADDITIONAL TRANSPORTATION PLANS.--

(b) Each regional planning council, as provided for in s. 166.504, or any successor agency thereto, shall develop, as an element of its strategic regional policy plan, transportation goals and policies. The transportation goals and policies must be prioritized to comply with the prevailing principles provided in subsection (1) and s. 334.046(1). The transportation goals and policies shall be consistent, to the maximum extent feasible, with the goals and policies of the metropolitan planning organization and the Florida Transportation Plan. The transportation goals and policies of the regional planning council will be advisory only and shall be submitted to the department and any affected metropolitan planning organization for their consideration and comments. Metropolitan planning
organization plans and other local transportation plans shall be developed consistent, to the maximum extent feasible, with the regional transportation goals and policies. The regional planning council shall review urbanized area transportation plans and any other planning products stipulated in s. 339.175 and provide the department and respective metropolitan planning organizations with written recommendations, which the department and the metropolitan planning organizations shall take under advisement. Further, the regional planning councils shall directly assist local governments that are not part of a metropolitan area transportation planning process in the development of the transportation element of their comprehensive plans as required by s. 163.3177.

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

380.06 Developments of regional impact.—
(18) BIENNIAL REPORTS.—The developer shall submit a biennial report on the development of regional impact to the local government, the regional planning agency, the state land planning agency, and all affected permit agencies in alternate years on the date specified in the development order, unless the development order by its terms requires more frequent monitoring. If the report is not received, the regional planning agency or the state land planning agency shall notify the local government. If the local government does not receive the report or receives notification that the regional planning agency or the state land planning agency has not received the report, the local government shall request in writing that the developer submit the report within 30 days. The failure to submit the
report after 30 days shall result in the temporary suspension of
the development order by the local government. If no additional
development pursuant to the development order has occurred since
the submission of the previous report, then a letter from the
developer stating that no development has occurred shall satisfy
the requirement for a report. Development orders that require
annual reports may be amended to require biennial reports at the
option of the local government.

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

403.50663 Informational public meetings.—
(2) Informational public meetings shall be held solely at
the option of each local government or regional planning council
if a public meeting is not held by the local government. It is
the legislative intent that local governments or regional
planning councils attempt to hold such public meetings. Parties
to the proceedings under this act shall be encouraged to attend;
however, no party other than the applicant and the department
shall be required to attend such informational public meetings.

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

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

403.507 Preliminary statements of issues, reports, project
analyses, and studies.—
(2){a} No later than 100 days after the certification application has been determined complete, the following agencies shall prepare reports as provided below and shall submit them to the department and the applicant, unless a final order denying the determination of need has been issued under s. 403.519:

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

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

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

4. The Fish and Wildlife Conservation Commission shall prepare a report as to matters within its jurisdiction.
5. Each regional planning council shall prepare a report containing recommendations that address the impact upon the public of the proposed electrical power plant, based on the degree to which the electrical power plant is consistent with the applicable provisions of the strategic regional policy plan adopted pursuant to chapter 196 and other matters within its jurisdiction.

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

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

403.508 Land use and certification hearings, parties, participants.—

(3)(a) Parties to the proceeding shall include:
1. The applicant.
2. The Public Service Commission.
3. The Department of Economic Opportunity.
5. The water management district.
6. The department.
7. The regional planning council.

7. The local government.

The Department of Transportation.

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

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1. The applicant.
2. The department.
3. State agencies.
4. Regional agencies, including regional planning councils and water management districts.
5. Local governments.
6. Other parties.

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

403.5115 Public notice.—
(5) A local government or regional planning council that proposes to conduct an informational public meeting pursuant to s. 403.50663 must publish notice of the meeting in a newspaper of general circulation within the county or counties in which the proposed electrical power plant will be located no later than 7 days prior to the meeting. A newspaper of general circulation shall be the newspaper that has the largest daily circulation in that county and has its principal office in that county. If the newspaper with the largest daily circulation has its principal office outside the county, the notices shall appear in both the newspaper having the largest circulation in that county and in a newspaper authorized to publish legal notices in that county.

Section 16. Paragraph (a) of subsection (2) of section 403.526, Florida Statutes, is amended to read:
403.526 Preliminary statements of issues, reports, and project analyses; studies.—
(2)(a) No later than 90 days after the filing of the application, the following agencies shall prepare reports as

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

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

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

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

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

5. Each local government shall prepare a report as to the
impact of each proposed transmission line or corridor on matters
within its jurisdiction, including the consistency of the
proposed transmission line or corridor with all applicable local
ordinances, regulations, standards, or criteria that apply to
the proposed transmission line or corridor, including local
comprehensive plans, zoning regulations, land development
regulations, and any applicable local environmental regulations
adopted pursuant to s. 403.182 or by other means. A change by
the responsible local government or local agency in local
comprehensive plans, zoning ordinances, or other regulations
made after the date required for the filing of the local
government’s report required by this section is not applicable
to the certification of the proposed transmission line or
corridor unless the certification is denied or the application
is withdrawn.

6. Each regional planning council shall present a report
containing recommendations that address the impact upon the
public of the proposed transmission line or corridor based on
the degree to which the transmission line or corridor is
consistent with the applicable provisions of the strategic
regional policy plan adopted under chapter 130 and other impacts
of each proposed transmission line or corridor on matters within
its jurisdiction.

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

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

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

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

403.527 Certification hearing, parties, participants.—
(2)(a) Parties to the proceeding shall be:
1. The applicant.
2. The department.
3. The commission.
4. The Department of Economic Opportunity.
5. The Fish and Wildlife Conservation Commission.
6. The Department of Transportation.
7. Each water management district in the jurisdiction of which the proposed transmission line or corridor is to be located.
8. The local government.
9. The regional planning council.

(3){a} The order of presentation at the certification hearing, unless otherwise changed by the administrative law judge to ensure the orderly presentation of witnesses and evidence, shall be:
1. The applicant.
2. The department.
3. State agencies.
4. Regional agencies, including regional planning councils and water management districts.
5. Local governments.
6. Other parties.

Section 18. Subsections (2) and (3) of section 403.5272,
Florida Statutes, are amended to read:

403.5272 Informational public meetings.—

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

(3) A local government or regional planning council that
intends to conduct an informational public meeting must provide
notice of the meeting, with notice sent to all parties listed in
s. 403.5272(2)(a), not less than 15 days before the meeting and
to the general public in accordance with s. 403.5363(4).

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

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

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Regional planning councils shall assist the department in site selection, public awareness, and program coordination. However, the department shall retain full responsibility for the state amnesty days program.

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

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

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

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

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

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

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land development regulations.

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

5. Each local government in which the natural gas
transmission pipeline or natural gas transmission pipeline
corridor will be located shall prepare a report as to the impact
of each proposed natural gas transmission pipeline or corridor
on matters within its jurisdiction, including the consistency of
the proposed natural gas transmission pipeline or corridor with
all applicable local ordinances, regulations, standards, or
criteria that apply to the proposed natural gas transmission
pipeline or corridor, including local comprehensive plans,
zoning regulations, land development regulations, and any
applicable local environmental regulations adopted pursuant to
s. 403.182 or by other means. No change by the responsible local
government or local agency in local comprehensive plans, zoning
ordinances, or other regulations made after the date required
for the filing of the local government’s report required by this
section shall be applicable to the certification of the proposed
natural gas transmission pipeline or corridor unless the
certification is denied or the application is withdrawn.

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

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corridor is consistent with the applicable provisions of the
strategic regional policy plan adopted pursuant to chapter 136
and other impacts of each proposed natural gas transmission
pipeline or corridor on matters within its jurisdiction.

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

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

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

7. The Department of State, Division of Historical
Resources, shall prepare a report on the impact of the natural
gas transmission pipeline or natural gas transmission pipeline
corridor on matters within its jurisdiction.

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

Section 21. Paragraph (a) of subsection (4) and subsection
(6) of section 403.9411, Florida Statutes, are amended to read:
403.9411 Notice; proceedings; parties and participants.—
(4)(a) Parties to the proceeding shall be:
1. The applicant.
2. The department.
3. The commission.
4. The Department of Economic Opportunity.
5. The Fish and Wildlife Conservation Commission.
6. Each water management district in the jurisdiction of which the proposed natural gas transmission pipeline or corridor is to be located.
7. The local government.
8. The regional planning council.
9. The Department of Transportation.
10. The Department of State, Division of Historical Resources.

The order of presentation at the certification hearing, unless otherwise changed by the administrative law judge to ensure the orderly presentation of witnesses and evidence, shall be:

(a) The applicant.
(b) The department.
(c) State agencies.
(d) Regional agencies, including regional planning councils and water management districts.
(e) Local governments.
(f) Other parties.

Section 22. Subsection (6) of section 419.001, Florida Statutes, is amended to read:

419.001 Site selection of community residential homes.—
(6) If agreed to by both the local government and the sponsoring agency, a conflict may be resolved through informal mediation. The local government shall arrange for the services of an independent mediator or may utilize the dispute resolution services of an independent mediator.
process established by a regional planning council pursuant to § 186.509. Mediation shall be concluded within 45 days of a request therefor. The resolution of any issue through the mediation process shall not alter any person’s right to a judicial determination of any issue if that person is entitled to such a determination under statutory or common law.

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

985.682 Siting of facilities; criteria.—

(4) When the department requests such a modification and it is denied by the local government, the local government or the department shall initiate the dispute resolution process established under § 186.509 to reconcile differences on the siting of correctional facilities between the department, local governments, and private citizens. If the regional planning council has not established a dispute resolution process pursuant to § 186.509, the department shall establish, by rule, procedures for dispute resolution. The dispute resolution process shall require the parties to commence meetings to reconcile their differences. If the parties fail to resolve their differences within 30 days after the denial, the parties shall engage in voluntary mediation or similar process. If the parties fail to resolve their differences by mediation within 60 days after the denial, or if no action is taken on the department’s request within 90 days after the request, the department must appeal the decision of the local government on the requested modification of local plans, ordinances, or regulations to the Governor and Cabinet. Any dispute resolution process initiated under this section must conform to the time...
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limitations set forth herein. However, upon agreement of all
parties, the time limits may be extended, but in no event may
the dispute resolution process extend over 180 days.

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

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

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

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