SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 2256

SPONSOR: Senator Forman

SUBJECT: Metropolitan Planning Organizations

DATE: March 21, 1999 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bowman	Yeatman	CA	Favorable
2.				
3.				
4.				
5.				

I. Summary:

The bill allows the Governor to exempt a membership reapportionment plan for a Metropolitan Planning Organization (M.P.O.) that does not comply with the statutory membership criteria where the plan fulfills specific goals and policies applicable to that M.P.O. and the membership plan complies with all federal requirements for M.P.O. membership.

This bill substantially amends s. 339.175, Florida Statutes (F.S.), 1998 Supplement (Supp) .

II. Present Situation:

Section 339.175, F.S., 1998 Supp., governs the designation, membership, powers and duties of Metropolitan Planning Organizations, or M.P.O.s. Current law requires at least one M.P.O. within each urbanized area, or group of continuous urbanized areas, to meet federal requirements for obtaining and expending federal transportation funds. Each year, M.P.O.s prepare a multi-year program of transportation improvement projects based on long-term transportation plans and projected needs. The Department of Transportation (DOT) uses the transportation improvement programs of the M.P.O.s when developing its work program (5-year listing of planned transportation projects).

The membership of an M.P.O. is set forth in s. 339.175, F.S., 1998 Supp., to represent the various governmental entities within the area based on equitable population ratios and geographic factors. Voting membership must be between five and 19 apportioned members. The number of members is to be determined on an equitable-population basis by the Governor based on an agreement between affected units of general-purpose local government.

Voting members of the M.P.O. must be elected members of general purpose local government except, an M.P.O. may include a member of a statutorily authorized planning board or an official of an agency that operates a major mode of transportation, and in metropolitan areas, may include authorities that perform transportation function but which are not within the jurisdiction of the

local government. County commissioners must make up at least one-third of the M.P.O. membership, with exceptions for counties meeting specific criteria. However, all county commissioners must be members of their respective M.P.O.

In addition, s. 339.175(2)(b), F.S., 1998 Supp., provides that Dade County may elect to have its county commission serve as the M.P.O., as long as the jurisdiction lies wholly within the county. Under this provision, the Governor must appoint four additional members to the M.P.O. which are enumerated in the statute.

Title 23, Section 134, United States Code, sets forth broad federal requirements for the membership of Metropolitan Planning Organizations. In a metropolitan area designated as a transportation management area, for example, the M.P.O. shall include local elected officials, officials of agencies which administer or operate major modes of transportation in the metropolitan area and appropriate state officials.

III. Effect of Proposed Changes:

The bill authorizes the Governor to exempt an M.P.O. who submits for approval a membership reapportion plan from the requirements of s. 339.175 (2) (a) & (b), F.S., 1998 Supp., where:

1) the membership reapportionment plan is needed to fulfill specific goals and policies that apply to the M.P.O.; and

2) the plan complies with all federal requirements pertaining to M.P.O. membership.

The bill is effective upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill could affect the proportional representation of members from general purpose local governments.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.