

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: CS/SB 1314

SPONSOR: Transportation Committee and Senator Webster

SUBJECT: Transportation Department

DATE: March 18, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>McAuliffe</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill authorizes the Florida Department of Transportation (FDOT) to use future federal funds to bond projects for Federal Aid Highway Construction.

The remainder of this bill is the result of the State Government Function/Activity Review Interim Project in 1997 prepared by the Florida House of Representatives. As a part of that review, House committee staff was instructed to identify statutes that are obsolete or in need of technical amendments. Statutory provisions primarily relating to the operations of the Florida Department of Transportation (FDOT) were reviewed to determine whether they were consistent with the agency's mission. During the review several statutory provisions were found to have incorrect and obsolete references.

This bill revises, reenacts, and amends various provisions of the Florida Statutes relating to transportation to delete obsolete language, to correct cross-references, to make grammatical corrections, and to make other technical changes to the state statutes governing transportation issues.

Because the proposed changes are technical in nature, the bill has no substantive or fiscal impact.

This bill substantially amends the following chapters of the Florida Statutes: 20, 206, 215, 234, 288, 311, 331, 334 - 339, 341, 343, 348, 349, 378, 427, 479, and 951, F.S. (See the section by section analysis under Effects of Proposed Changes for detailed list).

II. Present Situation:

Currently, section 122 of Title 23, United States Code, authorizes states to borrow against future year apportionments of Federal funds for the payment of debt service on bonds issued to provide for costs of Federal-aid projects. Article VII of the Florida Constitution allows for the issuance of

revenue bonds to finance fixed capital projects authorized by law. The FDOT is not currently authorized by state law to borrow against future year apportionments of Federal funds.

On November 17, 1997, the Speaker of the Florida House of Representatives directed House committees to perform several activities relating to the State Agency Function/Activity Review and Prioritization Project. Statutory provisions relating to the operations of FDOT were reviewed to determine whether they were consistent with the agency's mission.

As part of the House project, staff was instructed to identify statutes that are obsolete or in need of technical revision. During the review several statutory provisions were found to have incorrect and obsolete references.

In January 1998 a report was issued in response to the Speaker's directive for the House Committee on Transportation. As part of the House Transportation Committee's report, a proposed committee bill was prepared to make technical changes to the state statutes governing transportation issues. During the 1998 Session, the proposed committee bill became House Bill 4199 and was passed by the House, but died on the Senate Calendar.

III. Effect of Proposed Changes:

Section 215.616, F.S., is created to authorize the Grant Anticipation Revenue bond program for Federal-Aid Highway Construction. This would authorize FDOT to borrow against future year apportionments of Federal funds for the payment of debt service on bonds issued to provide for costs of Federal-aid projects. The FDOT's Official Federal-Aid Forecasts estimates Florida will receive an average of \$1.24 billion of federal aid annually for highway transportation purposes during federal fiscal years 1999-2004. This provision will allow the pledge of up to 10 percent of future federal-aid funding as the repayment source of debt service on bonds to advance transportation projects.

Senate Bill 1314 revises, reenacts, and amends various provisions of the Florida Statutes relating to transportation to delete obsolete language, to correct cross-references, to make grammatical corrections, and to make other technical changes to the state statutes governing transportation issues.

Because the changes are technical in nature, the bill has no substantive impact. This bill contains the same provisions as HB 4199 from the 1998 Session except that certain sections have been deleted where the technical corrections were made in legislation that did become law in 1998.

The following is a section by section analysis of the bill.

Section 1. Amends s. 20.23, F.S., to correct a statutory cross reference.

Section 2. Amends s. 206.46, F.S., to correct a statutory cross reference.

Section 3. Repeals s. 234.112, F.S., which is duplicative of s. 234.012 (12)(c), F.S.

Section 4. Amends s. 288.9607, F.S., to correct a statutory cross reference.

Section 5. Amends s. 311.09, F.S., to delete an obsolete date reference.

Section 6. Amends s. 331.303, F.S., to change a reference to an abolished council to a reference to Enterprise Florida, Inc.

Section 7. Amends s. 331.305, F.S., to correct a reference to the title of Chapter 607, F.S.; to delete a reference to an obsolete report requirement; and to delete a reference to obsolete bond restrictions.

Section 8. Amends s. 331.308, F.S., to delete a reference to obsolete initial appointment requirements.

Section 9. Amends s. 331.331, F.S., to delete a reference to obsolete bond restrictions.

Section 10. Amends s. 334.03, F.S., to delete an obsolete reference to a repealed statutory section.

Section 11. Amends s. 335.074, F.S., to delete a reporting requirement which was part of an agency annual report; the requirement for this annual report was repealed in 1994.

Section 12. Repeals s. 335.165, F.S., which is an obsolete provision relating to budgeting for improvements to Welcome Stations by the Department of Commerce. The Department of Commerce has been abolished, and s. 335.166, F.S., sets up the Welcome Station Office within DOT.

Section 13. Amends s. 335.182, F.S., to delete an obsolete date reference.

Section 14. Amends s. 335.188, F.S., to delete obsolete date references.

Section 15. Reenacts s. 336.01, F.S. to incorporate a change made by statutory revision editors.

Section 16. Amends s. 336.044, F.S., to delete an obsolete date reference; and to delete an obsolete reporting requirement.

Section 17. Amends s. 337.015, F.S., to delete a reporting requirement which was a part of a agency annual report; the requirement for this annual report was repealed in 1994.

Section 18. Amends s. 337.139, F.S., to delete an obsolete reporting requirement.

Section 19. Amends s. 337.29, F.S., to correct statutory cross references.

Section 20. Repeals s. 137 of Chapter 96-320, Laws of Florida, to delete an obsolete requirement related to utility relocation cost write-offs.

Section 21. Amends s. 337.407, F.S., to correct an internal reference.

Section 22. Amends s. 338.22, F.S., to correct a statutory cross reference.

Section 23. Amends s. 338.221, F.S., to correct statutory cross references; and to reenact subsection (8) to incorporate a change made by statutory revision editors.

Section 24. Reenacts s. 338.222, F.S., to incorporate a change made by statutory revision editors.

Section 25. Amends and reenacts s. 338.223, F.S., to incorporate a change made by statutory revision editors in subsection (1); and to correct a statutory cross reference.

Section 26. Amends s. 338.225, F.S., to correct a statutory cross reference.

Section 27. Amends s. 338.227, F.S., to correct statutory cross references.

Section 28. Amends s. 338.228, F.S., to correct statutory cross references.

Section 29. Amends s. 338.229, F.S., to correct statutory cross references.

Section 30. Amends s. 338.231, F.S., to correct statutory cross references.

Section 31. Amends s. 338.232, F.S., to correct a statutory cross reference.

Section 32. Amends s. 338.239, F.S., to correct statutory cross references.

Section 33. Amends s. 339.08, F.S., to correct a statutory cross reference.

Section 34. Repeals s. 339.091, F.S., to delete an obsolete program created in 1971.

Section 35. Reenacts subsection (7)(e) of s. 339.135, F.S., to incorporate a change made by statutory revision editors.

Section 36. Repeals s. 339.145, F.S., to delete authorization for a trust fund that is no longer needed; and repeals s. 339.147, F.S., to delete an obsolete provision for DOT reimbursement of Auditor General audit expenses.

Section 37. Amends s. 339.175, F.S., to correct a statutory cross reference.

Section 38. Amends s. 339.2405, F.S., to delete an obsolete reporting requirement.

Section 39. Amends s. 339.241, F.S., to change a reference to a repealed Florida Statute to a reference of a U.S. Code provision relating to certain definitions.

Section 40. Amends s. 341.051, F.S., to delete an obsolete requirement for providing the legislature with certain documents; and to clarify the applicability of a definition provided at the end of the section.

Section 41. Reenacts subsection (1) of s. 341.321, F.S., to incorporate changes made by statutory revision editors.

Section 42. Amends s. 341.3333, F.S., to correct a statutory cross reference.

Section 43. Amends s. 341.352, F.S., to delete a reference to the Department of Commerce which was abolished; and to provide authorization for Enterprise Florida to participate in High Speed Rail certification proceedings.

Section 44. Amends s. 343.64, F.S., to delete an obsolete date reference.

Section 45. Amends s. 343.74, F.S., to delete an obsolete date reference.

Section 46. Amends s. 348.0005, F.S., to correct a scrivener's error.

Section 47. Amends s. 348.0009, F.S., to correct a statutory cross reference.

Section 48. Amends s. 348.248, F.S., to correct a statutory cross reference.

Section 49. Amends s. 348.948, F.S., to correct a statutory cross reference.

Section 50. Amends s. 349.05, F.S., to correct an internal cross reference.

Section 51. Amends 378.411, F.S., to delete provisions related to DOT being certified by the Department of Environmental Protection to receive and review notices of intent to mine; these provisions are no longer needed.

Section 52. Amends s. 427.012, F.S., to change a reference to the "Department of Health and Rehabilitative Services" representative on the Commission for the Transportation Disadvantaged to a representative for the "Department of Children and Family Services".

Section 53. Amends s. 427.013, F.S., to make a grammatical correction.

Section 54. Amends s. 479.01, F.S., to correct an internal cross reference.

Section 55. Amends s. 951.05, F.S., to delete a reference to DOT's "Division of Road Operation" which has been abolished.

Section 56. Provides and effective date of July 1, 1999.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The additional funding available for transportation projects will benefit private sector contractors which do business with the FDOT.

C. Government Sector Impact:

The issuance of Grant Anticipation Revenue bonds will provide additional funding for transportation projects. The FDOT estimates that after the debt service is offset, approximately \$842 million will be available for transportation projects.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.